

HOUSE OF REPRESENTATIVES

TUESDAY, APRIL 19, 1938

The House met at 12 o'clock noon.

Rev. Thomas E. Flynn, St. Mary's, Chorley, Lancashire, England, offered the following prayer:

O Lord Jesus Christ, who in the glory of Thy resurrection didst appear to Thy distracted disciples saying, "My peace I give unto you," deign to be with us now who are struggling in the darkness of the world which too often forgettest Thee and grant Thy peace to us. May the Paraclete, the Comforter, whom Thou didst promise the spirit of wisdom, be with us in all our deliberations and save us from being deflected either to the right hand or to the left by private interests or by acceptance of persons, so that we may always pursue our duties in a straight line toward Thy glory and honor. O Lord Jesus Christ, grant that we may ever remember our responsibility as representatives of a great and peace-loving nation and do what in us lie to promote peace and justice and love among our own people, hoping that thereby we may contribute to the happiness of the world at large. Send forth Thy spirit and they shall be created and Thou shalt renew the face of the earth. Amen.

The Journal of the proceedings of yesterday was read and approved.

SUNDRY MESSAGES FROM THE PRESIDENT

Sundry messages in writing from the President of the United States were communicated to the House by Mr. Latta, one of his secretaries, who also informed the House that on the following dates the President approved and signed bills of the House of the following titles:

On April 14, 1938:

H. R. 3776. An act for the relief of T. T. East and the Cassidy Southwestern Commission Co., citizens of the State of Texas.

On April 15, 1938:

H. R. 7448. An act to provide for experimental air-mail services to further develop safety, efficiency, and economy, and for other purposes.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Frazier, its legislative clerk, announced that the Senate had passed, with amendments, in which the concurrence of the House is requested, a bill of the House of the following title:

H. R. 1531. An act extending the classified civil service to include postmasters of the first, second, and third classes, and for other purposes.

The message also announced that the Senate insists upon its amendments to the foregoing bill, requests a conference with the House thereon, and appoints Mr. McKELLAR, Mr. HAYDEN, Mr. O'MAHONEY, Mr. LA FOLLETTE, and Mr. LOGAN to be the conferees on the part of the Senate.

The message also announced that the Senate recedes from its amendment No. 28 to the bill (H. R. 8837) making appropriations for the Executive Office and sundry independent executive bureaus, boards, commissions, and offices, for the fiscal year ending June 30, 1939, and for other purposes, still further insists upon its amendments Nos. 24, 26, 27, and 37, asks a still further conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. GLASS, Mr. BYRNES, Mr. RUSSELL, Mr. ADAMS, and Mr. HALE to be the conferees on the part of the Senate.

The message also announced that the Senate had passed a bill of the following title, in which the concurrence of the House is requested:

S. 3684. An act to provide for the holding of terms of the District Courts of the United States for West Virginia at Fairmont and Beckley.

EXTENSION OF REMARKS

Mr. MEAD. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD on the reorganization bill.

The SPEAKER. Without objection it is so ordered.

There was no objection.

Mr. TREADWAY. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include a radio address I delivered on Sunday.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. SHAFER of Michigan. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD at this point and to include therein a copy of a resolution received by me from the Chicago Livestock Exchange, and also a resolution of my own which I am introducing this morning.

The SPEAKER. Without objection it is so ordered.

There was no objection.

Mr. SHAFER of Michigan. Mr. Speaker, I rise to place in the RECORD a resolution dated April 14, 1938, copy of which was sent me by the Chicago Livestock Exchange, in which it is charged that the different Departments having jurisdiction over C. C. C. camps, have lately been purchasing abroad, particularly in South America, considerable quantities of canned meats for their C. C. C. camps and other agencies:

Whereas prosperity of the livestock industry depends in large part upon the amount of consumption in the United States of domestic meats; and

Whereas advice has been received by the members of the Chicago Livestock Exchange that our Federal Government has lately purchased abroad, and particularly from South America, considerable quantities of canned meats for their C. C. C. camps and other agencies; and

Whereas the members of the Chicago Livestock Exchange are sure that such a policy and practice on the part of our Federal Government is highly injurious to the producers, farmers, feeders, and shippers of livestock throughout the United States; and

Therefore the members of the Chicago Livestock Exchange in convention assembled, most emphatically condemn such a practice and policy on the part of our Federal Government, and most respectfully urge the President of the United States, the members of his Cabinet, the heads of the interested Departments of the Government, and the Members of Congress to cease and desist from such practice and policy; and

Further urge that the President of the United States, the members of his Cabinet, the heads of the interested Departments of the Government, and the Members of Congress insist that in future purchases of meats for C. C. C. camps and other agencies and activities of the Government, the Government purchasing agents confine themselves entirely to the purchase of domestic-produced meats; and

Further, that copies of this resolution be forwarded by the secretary of the exchange to the President of the United States, members of his Cabinet, heads of the interested Departments, and all Members of Congress.

It must seem incredible to the Members of this House, as it is incredible to me, that while we are restricting agricultural production on the ground that overproduction of farm commodities, which certainly include meat products, is resulting from a lack of consumer demand, that governmental Departments should be purchasing canned meats for the use of these C. C. C. camps and other agencies from foreign producers.

There could be no excuse whatsoever for this action on the basis of price, because even though such products might be secured abroad at a lower price than they could be secured from our own producers, certainly the administration's own proposals that we spend vast sums of money to restore employment, to lend to small business, and to relieve jobless citizens of privation until work can be provided for them, is in itself a sufficient argument against any such outrageous procedure as this appears to be.

The only possible reason that I can imagine to excuse such an action as this, if these charges be true, would be that there existed in this country such a shortage of meat products that these supplies were not procurable in the United States. If that situation does exist, then certainly any limitation on corn production, livestock production, and on the processing of domestic meats could not possibly be justified.

I shall at the end of my remarks, Mr. Speaker, introduce a resolution calling upon the cooperative agencies under which the C. C. C. camps are operated, namely, the Department

of Agriculture, Department of Labor, Department of the Interior, and Department of War, instructing them forthwith to prepare and transmit to this House a complete statement of all such purchases made from foreign producers, giving the dates thereof, the prices paid, the total amount spent in such transactions, together with a full statement as to the reasons for such purchases of goods from other than American producers.

Mr. Speaker, unless there is a very valid reason for this action on the part of these departments, and as I have said the only possible reason I can imagine would be such a shortage of meat products in this country that the Government actually cannot procure its necessary supplies from our domestic producers, then such a practice as this can prove to be highly injurious to our domestic producers, farmers, feeders, and shippers of livestock.

Certainly the administration is as fully aware of the necessity for providing the greatest possible amount of business at home for our own producers of agricultural products, as are the Members of this Congress.

I am tempted to say more on this subject, but I shall refrain from doing so until such time as this information which is requested in the resolution I shall now introduce has been transmitted to this House. I call upon my colleagues in this body to pass this resolution. If these charges are untrue, that fact should be established. If these charges are true, then certainly this Congress should immediately put itself in possession of the reasons behind such an incredible procedure. If these supplies are procurable from our domestic producers, then whatever action is necessary to put a stop to this business of purchasing such supplies from foreign producers should be taken. In any event there cannot be the slightest objection to this House moving by this resolution to secure this information forthwith.

My resolution reads:

Whereas it is alleged by a resolution dated April 14, 1938, passed by the members of the Chicago Livestock Exchange in convention assembled, that considerable quantities of canned meats have been purchased from South America for the C. C. C. camps and other Government agencies; and

Whereas if these charges are founded on fact the prosperity of the livestock industry of the United States is being injured by such practices; and

Whereas such a practice is highly injurious to producers, farmers, feeders, and shippers of livestock throughout the United States; and

Whereas under present conditions obtaining in the United States all supplies of this character procurable from our own producers should be purchased at home; and

Whereas this practice of purchasing from foreign producers may be more extensive than is now known: Now, therefore, be it

Resolved, That the Department of Agriculture, Department of Labor, Department of the Interior, and the Department of War be, and they are hereby, instructed immediately to prepare and transmit to the House of Representatives a complete statement of any and all supplies and goods of any and every character whatsoever which have at any time in the past 5 years been purchased from producers in any country other than the United States by these departments for the use of C. C. C. camps under their jurisdiction, or for any other activities over which they have jurisdiction.

Such reports shall include the character of such purchases, dates thereof, amounts thereof, the prices paid therefor, and the total amounts spent in such transactions, together with a full statement as to the reasons for such purchases of goods from other than American producers.

BOXWOOD HALL, ELIZABETH, N. J.

Mr. McLEAN. Mr. Speaker, I ask unanimous consent to proceed for 1 minute and to revise and extend my remarks.

The SPEAKER. Without objection, it is so ordered.

Mr. McLEAN. Mr. Speaker, I have introduced a bill the purpose of which is to preserve as a national shrine the colonial mansion house in Elizabeth, N. J., known as Boxwood Hall. It was the home of Elias Boudinot, and afterward Jonathan Dayton.

Boxwood Hall was owned and probably built by Samuel Woodruff, mayor of the town before 1763—some claim 1750—and was the center of many important gatherings and events of colonial days. During the Revolution it was the home of Hon. Elias Boudinot. He was one of our great Revolutionary statesmen. He was of French ancestry; a counselor at law, and a trustee of Princeton University.

He was an important factor in all the events leading up to the Declaration of Independence, and was closely associated with Washington throughout the War for Independence. He was a delegate to the Continental Congress, serving as its president, and acting as secretary of foreign affairs. He signed the treaties of peace with Great Britain and of alliance with the French King; proclaimed cessation of hostilities, thanksgiving, discharging the Army, and removal of the Congress to Princeton, and presided at the session in Nassau Hall when Washington was thanked for his services "in establishing the freedom and independence of your country." He was the first counselor named by the United States Supreme Court. Jonathan Dayton was a son of a Revolutionary officer, and was himself an officer in the Revolutionary Army—one of the youngest. He was a delegate to the Constitutional Convention and was a signer of the Constitution of the United States. He served in the Continental Congress, the New Jersey Legislature, in the House of Representatives of the United States—as its Speaker in the first session of the fourth Congress from December 7, 1795, to June 1, 1796—and in the United States Senate. He was one of those who migrated to the West and contributed to its development. What is now the city of Dayton, Ohio, was named in his honor. His remains are interred beneath the vestry room of St. John's Church in Elizabeth.

Boxwood Hall, sometimes called the Boudinot mansion, is now owned by an organization composed of public-spirited women who have used it for some years as a home for aged women. Their work has been so successful and the demands upon them so great that they have found it necessary to provide larger and more modern quarters, and if Boxwood Hall is not acquired for patriotic purposes it will be sold to private investors and its historical sentiments and patriotic inspiration lost to the community and the Nation. The generosity of the present owners make it possible to acquire the property at this time at a nominal cost. The house is an excellent example of colonial architecture, both inside and out, and is in a perfect state of preservation. Its location is near the heart of the city on an important thoroughfare, which was one of the main highways of travel to the principal ferry leading from all parts of the South and West to the city of New York. On the stone steps at the front of the house, in 1781, was placed the murdered body of the Reverend James Caldwell, chaplain in the Army, that it might be viewed by the people; over it Boudinot made a powerful address. The Marquis de Lafayette was a guest here in 1824. General Washington, on his journey to New York for his inauguration as the first President of the United States, passed through Elizabeth to take the ferry at Elizabethport and was met at Boxwood Hall by a committee of Congress. An elaborate luncheon was served, attended by many of the important men and women of the land. To celebrate the one hundred and fiftieth anniversary of that event a pageant reenacting the arrival and departure of General Washington on that day has been arranged under the auspices of the United States Constitution Sesquicentennial Commission.

Alexander Hamilton was a frequent visitor at Boxwood Hall. Elizabeth was the first place he lived after being sent to America to complete his education, and in his active political life the opportunity to consult with leading men of his day—among them William Livingston and William Paterson, those two great minds who so materially aided in the formation of the Constitution and who lived nearby—made him a frequent guest at Boxwood Hall.

These are only a few of the important facts which justify the preservation of Boxwood Hall as a national shrine. Should it be made available for the purpose, the State of New Jersey will include it in its program of preservation of historical sites, and many of the patriotic citizens of Elizabeth and vicinity will contribute appropriate furniture and other mementoes which will restore Boxwood Hall as it was in colonial days.

I speak today for the Governor of New Jersey, the State senator and members of the New Jersey Legislature from

Union County, and the mayor of the city of Elizabeth, all of whom have communicated with me in behalf of the project, and for the patriotic societies, principally the Daughters of the American Revolution and the American Legion posts, and the Union County Historical Society. My suggestion is that the Congress of the United States shall by the appropriation of funds for the purchase of Boxwood Hall give its endorsement to the movement for its preservation. [Applause.]

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES—THIRD PAN AMERICAN HIGHWAY CONFERENCE, SANTIAGO, CHILE

The SPEAKER laid before the House the following message from the President of the United States, which was read, and, with the accompanying papers, referred to the Committee on Foreign Affairs:

To the Congress of the United States:

I commend to the favorable consideration of the Congress the enclosed report from the Secretary of State to the end that legislation may be enacted authorizing an appropriation of the sum of \$15,000, or so much thereof as may be necessary, for the expenses of participation by the United States in the Third Pan American Highway Conference, to be held at Santiago, Chile, in September 1938.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, April 19, 1938.

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES—INTERNATIONAL UNION OF GEODESY AND GEOPHYSICS

The SPEAKER laid before the House the following message from the President of the United States, which was read, and, with the accompanying papers, referred to the Committee on Foreign Affairs:

To the Congress of the United States:

I commend to the favorable consideration of the Congress the enclosed report from the Secretary of State to the end that legislation may be enacted authorizing and requesting the President of the United States to invite the International Union of Geodesy and Geophysics to hold its Seventh General Assembly in the United States during the calendar year 1939, and to invite foreign governments to participate in that general assembly; and authorizing an appropriation of \$5,000 to assist in meeting the expenses necessary for participation by the United States in the meeting.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, April 19, 1938.

DEPARTMENT OF AGRICULTURE APPROPRIATION BILL, 1939

Mr. CANNON of Missouri. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H. R. 10238) making appropriations for the Department of Agriculture and for the Farm Credit Administration for the fiscal year ending June 30, 1939, and for other purposes.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 10238, the Department of Agriculture appropriation bill, 1939, with Mr. NELSON in the chair.

The Clerk read the title of the bill.

Mr. CANNON of Missouri. Mr. Chairman, I ask unanimous consent to proceed for 10 minutes at the conclusion of the reading of the bill.

The CHAIRMAN. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. CANNON of Missouri. Mr. Chairman, when the Committee rose last Thursday there remained to be read the section on the Bureau of Public Roads, beginning at page 69, the consideration of which was passed over by consent of the Committee. I ask that the Clerk read this section.

The Clerk read as follows:

FEDERAL-AID HIGHWAY SYSTEM

For carrying out the provisions of the act entitled "An act to provide that the United States shall aid the States in the

construction of rural post roads, and for other purposes," approved July 11, 1916 (39 Stat. 355-359), and all acts amendatory thereof and supplementary thereto, to be expended in accordance with the provisions of said act, as amended, including not to exceed \$1,120,000 for departmental personal services in the District of Columbia, \$63,000,000, to be immediately available and to remain available until expended, which sum is a part of the sum of \$125,000,000, authorized to be appropriated for the fiscal year 1938, by section 1 of the act approved June 16, 1936 (49 Stat. 1519-1520): *Provided*, That none of the money herein appropriated shall be paid to any State on account of any project on which convict labor shall be employed, except this provision shall not apply to convict labor performed by convicts on parole or probation: *Provided further*, That not to exceed \$45,000 of the funds provided for carrying out the provisions of the Federal Highway Act of November 9, 1921 (23 U. S. C. 21, 23), shall be available for the purchase of motor-propelled passenger-carrying vehicles necessary for carrying out the provisions of said act, including the replacement of not to exceed one such vehicle for use in the administrative work of the Bureau of Public Roads in the District of Columbia at a cost, including the exchange value of the vehicle to be replaced, not to exceed \$1,200: *Provided further*, That during the fiscal year 1939, whenever performing authorized engineering or other services in connection with the survey, construction, and maintenance, or improvement of roads for other Government agencies the charge for such services may include depreciation on engineering and road-building equipment used, and the amounts received on account of such charges shall be credited to the appropriation concerned: *Provided further*, That during the fiscal year 1939 the appropriations for the work of the Bureau of Public Roads shall be available for meeting the expenses of warehouse maintenance and the procurement, care, and handling of supplies, materials, and equipment stored therein for distribution to projects under the supervision of the Bureau of Public Roads, and for sale and distribution to other Government activities, the cost of such supplies and materials or the value of such equipment (including the cost of transportation and handling) to be reimbursed to appropriations current at the time additional supplies, materials, or equipment are procured, from the appropriation chargeable with the cost or value of such supplies, materials, or equipment: *Provided further*, That the appropriations available to the Bureau of Public Roads may be used in emergency for medical supplies and services and other assistance necessary for the immediate relief of employees engaged on hazardous work under that Bureau.

Mr. CARTWRIGHT. Mr. Chairman, I make a point of order against the language beginning on line 23, page 70, starting with the words "*Provided further*" and ending on line 7, page 71, with the sign and figures "\$1,200", that it is not authorized by law.

Mr. CANNON of Missouri. Mr. Chairman, the point of order raised by the gentleman from Oklahoma [Mr. CARTWRIGHT] involves the same question raised by the gentleman from New York [Mr. TABER] on last Thursday just before the Committee rose.

At that time the Committee of the Whole was considering an appropriation for general administrative purposes of the Beltsville Research Center, and the gentleman from New York made the point of order that a proviso carried in the paragraph for the purchase of an automobile was not authorized by law.

I cited the statute and reminded the Chair that a similar point of order made by the gentleman from New York against a paragraph in the same bill last year had been overruled and referred him to the Parliamentarian for the specific citation. But as the Parliamentarian did not recall the decision and I was unable to give the exact page at the time, the Chair held:

The Chair is ready to rule.

In the absence of specific citation, the Chair sustains the point of order. The proviso is stricken out.

This decision is so far reaching in its effect and is such a departure from the established procedure of the House, and affects so vitally the future consideration of all annual appropriation bills, that we venture to again raise the question at this time in the hope that the Chair, on further reflection, will reconsider his decision. With that in view, we submit for the consideration of the Chair the decision to which I referred last Thursday, reported in the CONGRESSIONAL RECORD of April 23, 1937—almost a year ago—at page 3783.

That one decision is in itself conclusive, but as it is only one of a long series of decisions under which the doctrine of authorization by implication has been built up, and in view of the gravity of the parliamentary situation which

would follow if the decision of last Thursday were permitted to stand and should be cited as a precedent in the consideration of future appropriation bills, I ask the indulgence of the Chair to submit corroborating opinions by Chairmen and Speakers passing on similar points of order over a period of many years.

Mr. DOWELL. Mr. Chairman, may I ask that the proviso be read again?

The CHAIRMAN. The Chair may say that the point of order is against the language beginning in line 23, page 70, through to line 7, page 71.

Mr. CANNON of Missouri. Mr. Chairman, there is a long line of decisions under which it is held that the law creating a governmental agency impliedly authorizes an appropriation for maintenance, including allowances for automobiles and other essential equipment, under which the law authorizing a governmental agency to perform certain duties is held by implication to authorize appropriations for the necessary supplies and implements essential to the proper performance of such duties; under which authorization for an appropriation is held to authorize provision for material ordinarily required in effecting the purpose for which the appropriation is made. Decisions to this effect include, among others, two opinions by Chairman William J. Graham, of Illinois (Cannon's Precedents, secs. 1193, 1195).

A notable decision on this point was handed down by Chairman ROBERT LUCE, of Massachusetts, one of the best-versed Members of the House in parliamentary procedure and the author of books which are landmarks in constitutional and legislative literature, in which he said:

The Chair is of opinion that by an attempt to put into the law minute provision for all possible manner of expenditure the size of the statute books would be largely increased, and that by reason of the impossibility of foresight in matter of detail more harm than good would result. It has been the uniform ruling of preceding Chairmen, so far as the Chair can ascertain, that these minor and incidental objects of expenditures are natural to the conduct of the business establishment concerned. For these reasons the Chair overrules the point of order.

A similar decision was made by Chairman Joseph Walsh, of Massachusetts, in 1921 (Cannon's Precedents, sec. 1237), and in the same year a point of order against a comparable item was overruled by Chairman James R. Mann, of Illinois, one of the most eminent authorities on procedure who ever served in the House. Mr. Mann said:

The Chair thinks that is an incident quite within the power of Congress to appropriate for without specific authorization, the same as for the purchase of pens and ink, or anything else necessary for the conduct of the embassy. The Chair overrules the point of order (Cannon's Precedents, sec. 1253).

By a coincidence, Chairman Simeon D. Fess, of Ohio (sec. 1127), overruled the same point of order in the same session of Congress.

Lest section 78, title V, of the Code, to which reference was made when the point of order was under discussion Thursday, might be cited as limiting or nullifying the general rule laid down in the decisions just cited, I include a decision by Chairman Joseph W. Byrns, the late Speaker, on a point of order raised against an appropriation for the purchase of automobiles in the Indian appropriation bill, January 5, 1915. Section 5 of the Legislative, Executive, and Judicial Appropriation Act for the fiscal year 1915 (the present sec. 78, title 5, U. S. Code) had been cited in support of the point of order. Chairman Byrns held (sec. 1126, Cannon's Precedents):

The Chair has some personal knowledge of the reasons which brought about the action of the Committee on Appropriations in recommending the enactment of such legislation. As has been stated several times, it was intended to correct a possible abuse in applying the lump-sum contingent fund to the purchase of automobiles, and so forth. This section was passed in order to afford Congress some information as to the automobiles that were to be purchased, and why they were to be purchased.

The Chair does not think it was intended by Congress to deny itself the right in an appropriation bill to authorize any executive department of the Government to purchase motor-drawn vehicles or any other kind of vehicles where they are needed as an administrative necessity. The section in question provides that these automobiles and vehicles shall be purchased for the use of superintendents, farmers, physicians, field matrons, allotting, irrigation,

and other employees of the Indian field service in the supervision and administration of the affairs of the Indians.

It is very clear to the Chair that the occasion might arise as an administrative necessity where an automobile, or a motor-drawn vehicle, or some other class of vehicle, like a wagon or other horse-drawn vehicle, would be necessary in order to properly perform the duties of the Bureau of Indian Affairs. The Chair does not think that the section which has been quoted and relied on to sustain this point of order goes so far as to require, or that it was intended to require, special legislation. It seems to the Chair that it was passed for the purpose of providing a check by Congress, so to speak, on the purchase of motor-drawn vehicles used by the various departments of the Government, so that Congress might have before it estimates from these various departments as to the number of vehicles required, and why they were needed.

The point has been made that this section of the Legislative, Executive, and Judicial Act provides that there shall not be expended out of any appropriation, etc., any money for any vehicle for any branch of the Government service unless the same is specifically authorized by law. The Chair thinks that is nothing more or less than limitation upon an administrative officer, and that if Congress in its wisdom sees fit to authorize the purchase of motor-drawn vehicles or other vehicles for the administrative purposes set forth in this bill, then it would be authorized by law within the meaning of the section referred to, because an appropriation bill after it has passed is as much law as any other statute which may be passed.

The Chair therefore overrules the point of order.

In this connection, may I call particular attention to an authoritative decision by one of the ablest and most experienced parliamentarians in the House today, the gentleman from Iowa [Mr. DOWELL], confirming the operation of section 78 of title V of the Code as impliedly authorizing appropriations for automobiles. In effect, his decision holds that when a statute provides, as section 78 provides, that no appropriation made in any act shall be available for expenditure for a given purpose unless specific authority is given therefor, it impliedly assumes that the specific authority required will or may be in the language of the appropriation and inferentially authorizes the inclusion of such specific authority in the appropriation bill.

In passing on the question February 14, 1930 (sec. 1201, Cannon's Precedents), Chairman DOWELL ruled:

The point of order is made to this language because there is no authorization for it under the law. The attention of the Chair has been called by the chairman of the subcommittee to title 5, chapter 1, section 83, of the law, which was read and which is as follows:

"No money appropriated by any act shall be expended for membership fees or dues of any officer or employee of the United States or of the District of Columbia in any society or association or for expenses of attendance of any person at any meeting or convention of members of any society or association, unless such fees, dues, or expenses are authorized to be paid by specific appropriations for such purposes, or are provided for in express terms in some general appropriations."

It seems to the Chair that the language used in the appropriation carries out specifically what the law says shall be done if appropriations are made. The Chair overrules the point of order.

In conclusion, permit me to cite a decision by Chairman John N. Garner, of Texas, subsequently Presiding Officer of both the House and the Senate (sec. 1209, Cannon's Precedents), substantiating the doctrine under which authorization of estimates is held to authorize appropriations made pursuant to such estimates.

The concluding sentence of section 78, title V, United States Code, directs the departments, in their annual estimates, to submit detailed estimates of their requirements for automobiles for the ensuing year. The decision by Chairman Garner holds that where the law directs a department to submit estimates for a given purpose it impliedly authorizes an appropriation therefor. I shall not delay the Committee with further details of the decision.

Mr. Chairman, I trust the Chair is disposed to render a decision in conformity with the precedents just cited.

The CHAIRMAN. The Chair is ready to rule.

Since last Thursday, when the Chair passed upon a somewhat similar proposition, an opportunity has been afforded to look more fully into the precedents governing such cases. The Chair has examined the precedents which may be found in Cannon's Precedents, volume 7, sections 1127, 1193, 1197, 1235, and 1245. The Chair finds that those decisions uniformly hold that an appropriation for the hire or purchase of automobiles is in order on a general appropriation bill. In this connection the Chair desires to call attention to the fact

that on February 8, 1929, a point of order was raised against the provision in the naval appropriation bill appropriating money for the hire of automobiles. In overruling the point of order the Chairman, Mr. LUCE, of Massachusetts, stated:

The Chair is of opinion that by an attempt to put into the law minute provision for all possible manner of expenditure the size of the statute books would be largely increased, and that by reason of the impossibility of foresight in matter of detail more harm than good would result. It has been the uniform ruling of preceding Chairmen, so far as the Chair can ascertain, that these minor and incidental objects of expenditures are natural to the conduct of the business establishment concerned.

The Chair also desires to call attention to the fact that on April 23, 1937, Mr. TABER, of New York, made a point of order against an identical provision in the agriculture appropriation bill authorizing the expenditure of not to exceed \$45,000 for the purchase of automobiles by the Bureau of Public Roads and contended that there was no authorization of law for the purchase of automobiles by that Bureau.

Mr. CANNON of Missouri and Mr. UMSTEAD argued that the provision was purely a limitation on an appropriation and that, without it, the Bureau would have authority to spend the entire appropriation for automobiles if they so desired.

The Chairman, Mr. HANCOCK of North Carolina, in overruling the point of order stated:

The Chair overrules the point of order on the ground that the proviso constitutes a limitation, without which the Secretary could spend any amount within the total of the appropriation for this purpose.

The Chair, in view of the precedents just cited, thinks that the proviso to which the point of order has been directed is in order and overrules the point of order made by the gentleman from Oklahoma.

Mr. CANNON of Missouri. Mr. Chairman, I offer an amendment, which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. CANNON of Missouri: On page 70, line 14, strike out "\$63,000,000" and insert in lieu thereof "\$125,000,000."

On page 70, lines 15 and 16, strike out "a part of the sum of \$125,000,000" and insert in lieu thereof "the amount."

Mr. CANNON of Missouri. Mr. Chairman, I am glad to be able to offer this amendment. There is no subject on which the Members of the committee and the House are in more complete accord than the necessity of maintaining our national highway program, and there are few projects which contribute so effectively to the alleviation of unemployment as road-construction projects. And certainly no relief activity provides such permanent benefits and leaves behind such substantial assets to the community and the Nation at large. For this reason the committee directs me to offer an amendment appropriating the full amount carried in the supplementary estimate submitted by the Budget. The bill as originally reported to the House carried a total appropriation of \$100,000,000 for this purpose. This amount was to provide for all public roads, including the Federal aid primary system, the feeder roads system, elimination of grade crossings, and forest roads and trails, a total of \$100,000,000 in all. At that time, in response to a request from the Secretary of Agriculture, the States were marking time on the submission of projects, and no additional obligations were accruing. Had that situation continued, the \$100,000,000 would have been ample to take care of all requirements under the bill until Congress would again be in session. However, subsequent to the date on which the Budget estimate was submitted, and subsequent to the time the matter was under consideration in the subcommittee, the Secretary of Agriculture notified the States that the inhibition against the submission of projects was no longer in effect and that they were at liberty to submit projects as formerly. Of course, when such additional projects were submitted they became contractual obligations under the law, and it was necessary to make provision for them in the appropriation. For that reason a supplemental estimate was submitted by the Bureau of the Budget in the sum of \$101,500,000.

This specific amount was arrived at after consultation and collaboration with the Committee on Roads. The legislative Committee on Roads had made a long study of the subject and finally reported a bill providing the usual authorization for the years 1940 and 1941, equivalent to the authorization previously given for the years 1938 and 1939.

In this connection the Committee on Appropriations desires to express its appreciation both of the generous consideration and cooperation given it by the Committee on Roads, and especially by the able chairman of that committee, the gentleman from Oklahoma [Mr. CARTWRIGHT], who collaborated with us in submitting to the Budget the figures which were finally adopted as now incorporated in the estimate, and which conform to the views of the Committee on Roads and its chairman, the gentleman from Oklahoma. This amount will take care of every obligation for 1938 and 1939 and will insure ample support of an unrestricted highway program until Congress is again in session.

Also, by direction of the Committee on Appropriations, in conformity with the estimate submitted to us, and with the approval of the Committee on Roads, I will submit the remaining five of a series of six amendments which provide for the increase of \$101,500,000 in the appropriation to an aggregate of \$201,500,000 for primary roads, feeder roads, grade crossings, forest roads and trails, park and reservation roads, and all purposes for which the Government will incur obligations under the authorization act before the next session of Congress.

The following table indicates the allocation of road funds as supplemented by the appropriation carried in the pending amendment:

Class of roads	Regular Budget	Supplemental estimate	Total
Federal aid:			
Primary system.....	\$63,000,000	\$62,000,000	\$125,000,000
Feeder roads.....	10,000,000	10,000,000	20,000,000
Elimination of grade crossings.....	20,000,000	20,000,000	40,000,000
Public lands highways.....		2,500,000	2,500,000
Forest roads and trails.....	7,000,000	7,000,000	14,000,000
Total.....	100,000,000	101,500,000	201,500,000

The amounts provided under the amended Budget shown above will be sufficient to meet all accruing obligations under both the 1938 and 1939 authorizations until Congress shall have had opportunity at the next regular session to provide additional appropriations. The road program will proceed, under the amended Budget, as expeditiously as though the full amount of the 1939 authorization were appropriated at this time.

The state of the appropriations with respect to the authorization will be as follows:

Class of roads	Annual authorization	Total of Budget estimate	Amount of estimate applicable to	
			1938 authorization	1939 authorization
Federal aid:				
Primary system.....	\$125,000,000	\$125,000,000	\$125,000,000	-----
Feeder roads.....	25,000,000	20,000,000	20,000,000	-----
Elimination of grade crossings.....	50,000,000	40,000,000	40,000,000	-----
Public lands highways.....	2,500,000	2,500,000	-----	\$2,500,000
Forest roads and trails.....	14,000,000	14,000,000	7,000,000	7,000,000

Under the established practice in the expenditure of road funds, sums appropriated under 1938 authorizations are available to pay obligations accruing under 1939 authorizations. The language in the estimate relating to the year's authorization, of which the appropriation is a part, is merely descriptive and does not limit the use of the money to the year's authorization so designated. Many of the States are not abreast of their 1938 allotments, which makes it possible to meet obligations under the 1939 authorization for States which are current in their programs out of sums herein provided against the 1938 authorizations.

The appropriation of the full Budget estimates, regular and supplemental, aggregating a total of \$201,500,000, supplies every need which can be anticipated in the maintenance of the road program as originally projected and as continued in the current authorization.

Mr. MOTT. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, whatever may have been the reason for the change of attitude on the part of the Appropriations Committee, I am very glad, indeed, that the committee has changed its mind and that it has finally decided to increase the appropriation for Federal-aid highway construction up to the full amount authorized by the Committee on Roads.

I am also glad that the President and the Budget Director have changed their minds in this regard.

The amounts which were decided upon by the Roads Committee and written into the 1936 road authorization bill, after long and careful and painstaking study and consideration, never should have been reduced in the first place by the Appropriations Committee.

The Roads Committee, in my opinion, performs a work the value of which is not exceeded by that of any other committee of this body. I have always taken a great deal of pride and a great deal of pleasure in being a member of this committee, and so has everyone who serves upon it. We appreciate the confidence which the Congress and the country have always shown in the Roads Committee and the general approval which has been given to its work.

There are 48 States of the Union which depend upon and rely upon the work of the Committee on Roads to enable them to make and to carry out their road-building programs. When this committee reports an authorization bill it assumes a serious responsibility. If the authorization of any committee of this House ought to be taken as a mandate by the Committee on Appropriations, it is an authorization from the Roads Committee. The Committee on Roads is charged with the duty of evolving the road policy of the United States and of determining the amounts needed to carry out that policy. When it has done this and has submitted its findings to the House in the shape of an authorization bill, and when the House has passed that bill, then, it seems to me that that action on the part of the House is a mandate to the Appropriations Committee to appropriate the amount authorized.

I am glad that these amendments, which will be offered in a series, have now been agreed to and that there is to be no further controversy about them from the Appropriations Committee, because they will restore all of the road funds authorized by the Roads Committee in its last road bill to be appropriated in the present Congress.

These amendments will put the road-building program of the United States and of the several States back in the position where it was under the 1936 bill. That position never should have been disturbed. To refuse to adopt these amendments now would be to demoralize the road programs of every State in the United States.

Mr. DOWELL. Mr. Chairman, will the gentleman yield?

Mr. MOTT. I yield to the gentleman from Iowa.

Mr. DOWELL. And is it not true that the Committee on Roads calls before it the engineers from all over the United States engaged in road building and that the committee has made such an investigation that it is familiar with road building in all the States of the Union?

Mr. MOTT. That is correct; and I believe everyone in Congress understands that and appreciates it. No legislation has the benefit of more expert advice and opinions and none is more thoroughly worked out and considered than that which is reported during each Congress from the Roads Committee. Every highway department of every State plans its program in accordance with this legislation. Those plans are always 2-year plans. State road-building plans are always made on the basis of the amounts of Federal funds authorized by the Roads Committee bills, and they are made with the full confidence and expectation that the amounts authorized will be appropriated.

Mr. JENKINS of Ohio. Mr. Chairman, will the gentleman yield for a question?

Mr. MOTT. I yield to the gentleman from Ohio.

Mr. JENKINS of Ohio. Is it the purpose or the intention, if this amendment is adopted and this \$100,000,000 restored, it will not be necessary to come forward with another \$100,000,000 for what I see referred to in the papers as a part of the relief program?

Mr. MOTT. No; this is not a part of the relief program. This is the Federal road-building program; the regular program carrying out the accepted policy of furnishing Federal funds in aid to States for road building; but, incidentally, I may say to the distinguished gentleman from Ohio, it is one of the greatest and most beneficial relief programs we could possibly have. The money that is spent in the building of roads furnishes jobs to hundreds of thousands of men who would not otherwise have them, and at the same time it gives to the taxpayer value received for the money he spends.

Mr. JENKINS of Ohio. I am very much in favor of it, but I want to know whether the gentleman understands it is the intention of the administration or some other influence to come forward with another road program or another \$100,000,000 for road purposes?

Mr. MOTT. I cannot speak for the administration, but the appropriations in this bill are the only ones that have been authorized by the Roads Committee for this year. However, we do intend at this session to bring in another road authorization bill for the next 2 years, so that the States may have something on which to base their plans for 1940 and 1941, and we hope it may receive a rule from the Rules Committee and that it may be considered here and enacted before the adjournment of the Congress. [Applause.]

Mr. DIRKSEN. Mr. Chairman, will the gentleman yield?

Mr. MOTT. I yield to the gentleman from Illinois.

Mr. DIRKSEN. Answering the inferential question of my friend from Oregon, may I say in deference to the subcommittee, we were guided in large measure, at least, by the indications from the Budget Bureau, seeking also to cooperate with the President of the United States in approximating a balanced Budget at some time. So the action of this subcommittee was taken pursuant to the recommendation that came from the Budget Bureau to the committee.

Mr. MOTT. In reply to that, may I say that the Budget recommendations should have been in accordance with the authorizations of the Committee on Roads in the first place, and then the gentleman's committee would not have been put in the position of changing its mind every time the Budget Director got a new idea. If you were going to begin now to balance the Budget, after 6 or 8 years of continuous unbalancing, I think your committee began at the very poorest place it could possibly select.

Mr. RICH. Mr. Chairman, will the gentleman yield?

Mr. MOTT. I yield to the gentleman from Pennsylvania.

Mr. RICH. Does the gentleman think it is possible for this administration ever to balance the Budget?

Mr. MOTT. Oh, yes; it would be possible, I think.

Mr. RICH. What gives the gentleman any idea that a thing like that could happen?

Mr. MOTT. I am an optimist. [Laughter and applause.] [Here the gavel fell.]

Mr. COCHRAN. Mr. Chairman, I rise in opposition to the pro forma amendment.

Mr. Chairman, this is one time it is very evident that the recommendation of the President is going to be agreed to by practically every Member of the House, Democrats, Republicans, and Progressives, including those who are continually demanding to know "where we are going to get the money." I do not hesitate to say that if conditions in this country had not changed last fall, I would have stood squarely behind the President in his efforts to reduce the regular annual appropriations for Federal aid for roads.

We started off in 1917 when Mr. Shackelford, of Missouri, the first chairman of the Committee on Roads, sponsored a bill for \$75,000,000 for Federal aid to roads, over a period of 5 years, \$5,000,000 the first year, \$10,000,000 the

second year, \$15,000,000 the third year, \$20,000,000 the fourth year, and \$25,000,000 the fifth year. What for? To stimulate States in the construction of hard-surface roads.

Congress has stimulated the States since that time until they are now thoroughly intoxicated. Well over \$4,000,000,000 of the public's money has been allocated for Federal aid for roads. When the depression came along Congress increased the amount of its yearly contribution from year to year. This is legislation that Congressmen like to vote for. The highway departments are well organized in every State. The contractors are also well organized, and, while many demand a reduction in the normal expenditures of the Government, when it comes to something they have an interest in they forget their desire for a balanced Budget and urge liberal appropriations. Members of Congress who stand for economy likewise forget economy when such popular appropriations are under consideration. Today, of course, you say the President asked for it in his message read at the desk a few days ago and you support the President. It remains to be seen how many will go along with the President on the other recommendations he made.

There is no doubt about the road program being valuable. It is probably the soundest investment we make from the standpoint of benefit to the public. Every State in the Union has a gasoline tax, which should be applied to the construction and maintenance of roads. Let me ask the Chairman, not only of the subcommittee but also of the Committee on Roads as to whether or not anything has developed to disclose how many States of the Union today are diverting the money collected from gasoline taxes to purposes other than the construction and maintenance of roads?

Mr. CARTWRIGHT. A few States have diverted funds, but we are trying to perfect legislation that will stop the diversion of gasoline-tax funds to other purposes than roads. Congress should set the example itself, however.

Mr. COCHRAN. I come from the city, not from the country, but I am in favor of earmarking the appropriations for roads so that not less than 35 percent shall be used for farm-to-market roads. We promise the farmers we are going to build farm-to-market roads, but in the main the money has been used for primary roads. It so happens that I was partly responsible during the vacation period of this Congress in getting the Bureau of Public Roads and the President to issue an order that 25 percent of the appropriation of 1 year be devoted solely to farm-to-market roads.

Mr. CARTWRIGHT. That was under the emergency appropriation, and a bill which will be considered later in this session provides that \$25,000,000 each of the years 1940 to 1941 shall be applied to farm-to-market roads. Nineteen hundred and thirty-six was the first time that was put in the regular Federal-aid roads bill.

Mr. COCHRAN. As I said, this is one of these popular appropriations that every one votes for, but I insist that the Congress should provide in language that cannot be misunderstood that when the States of this Union divert the money they collect from automobile taxes and gasoline taxes to purposes other than the construction and maintenance of roads, we shall not allocate any money to that particular State until that practice has been discontinued.

Mr. CARTWRIGHT. I agree with the gentleman on that, and we are trying to do that.

Mr. COCHRAN. I hope the gentleman's committee will bring in legislation that will so provide.

Mr. CARTWRIGHT. We have it in mind now.

Mr. MOTT. Mr. Chairman, will the gentleman yield?

Mr. COCHRAN. Yes.

The CHAIRMAN. The time of the gentleman from Missouri has expired.

Mr. MOTT. Mr. Chairman, I ask unanimous consent that the time of the gentleman from Missouri be extended for an additional minute.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. MOTT. Mr. Chairman, I agree entirely with what the gentleman had to say about diversion. Most decidedly, diversion of gasoline taxes for purposes other than road

building is wrong. Very few States, however, I may say to the gentleman, are guilty of diversion. My own certainly is not. But may I ask the gentleman if he knows that the Federal Government is the greatest diverter of gasoline-tax funds that there is in the United States?

Mr. COCHRAN. Oh, no. The United States Government is not. I looked that up. The United States Government collects about \$200,000,000 in gasoline taxes and is allocating many times that amount for Federal aid for roads.

Mr. MOTT. The figures show that the Federal Government is collecting more in gasoline and other automobile taxes than it is appropriating for roads.

Mr. COCHRAN. Oh, no. Furthermore, the gasoline tax was not put on the tax bill solely for the purpose of being used for the construction of roads in this country.

Mr. MOTT. I know that, and therefore I say it is a diversion.

The CHAIRMAN. The time of the gentleman from Missouri has again expired.

Mr. COCHRAN. Mr. Chairman, I ask for 1 additional minute.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. COCHRAN. In 1937, according to the figures submitted to the Committee on Ways and Means, \$178,000,000 was collected.

Mr. MOTT. That is for gasoline alone. The gentleman is not including oil, tires, or any other of the excise taxes levied against automobiles and accessories, which would bring the figure to an annual amount considerably in excess of our road appropriation. The figures are given in detail in Road Committee hearings and report for this year.

Mr. COCHRAN. Does the gentleman feel that the tobacco tax should be applied to tobacco only?

Mr. MOTT. I am not talking about tobacco. I am merely stating to the gentleman that the Federal Government collects more in excise taxes from gasoline, oil, automobiles, and the things allied to automobiles than it pays out in road appropriations.

Mr. COCHRAN. And I am telling the gentleman that the record will show that his statement is not correct. I am going to get the record and place it in my remarks later in the day. When you see the tremendous amount we have allocated you will then be forced to admit at least a billion more has been used for road construction than has been collected.

The CHAIRMAN. The time of the gentleman from Missouri has again expired.

Mr. JENKINS of Ohio. Mr. Chairman, I move to strike out the last two words. I take this time in the belief that a good many Members here are like myself—they do not know all the facts about what is going on here. I ask the attention of the gentleman from Oklahoma [Mr. CARTWRIGHT] and ask him what it is proposed to do with reference to the regular road program?

Mr. CARTWRIGHT. All of these amendments which are being presented by the chairman of the subcommittee merely take care of all obligations until Congress will have an opportunity to meet again.

Mr. JENKINS of Ohio. Does that mean that the gentleman's road program will not come up for consideration at this session of Congress?

Mr. CARTWRIGHT. No; it does not. This is a proposition that the Committee on Roads should have been kept out of; but because of confusion, because of certain recommendations that had been made, we were forced into it.

Mr. JENKINS of Ohio. If we adopt this amendment, which I hope we will as far as that is concerned, being in favor of roads as I am, does that mean that State road authorities of the country will have the usual appropriation with which they have been operating?

Mr. CARTWRIGHT. That is exactly correct.

Mr. JENKINS of Ohio. And does it mean if we do not adopt this amendment that they will not have the usual appropriation?

Mr. CARTWRIGHT. They will not; the gentleman is correct.

Mr. JENKINS of Ohio. Just one more question concerning a matter that the gentleman and I and others have been very actively interested in for several years—how much will go to secondary roads?

Mr. CARTWRIGHT. It means \$10,000,000 more for farm-to-market, rural free delivery, school-bus roads.

Mr. JENKINS of Ohio. Is that sufficient?

Mr. CARTWRIGHT. That is sufficient to carry out the obligations.

Mr. JENKINS of Ohio. And I understand that the gentleman, as chairman of the Committee on Roads, is here favoring this, and that it will be a well-rounded-out program for the furtherance of our program to get aid for farm-to-market roads. The gentleman and I made the first big fight for this program.

Mr. CARTWRIGHT. The gentleman is correct. The Committee on Roads is here on this. I am merely the chairman.

Mr. MOTT. Mr. Chairman, will the gentleman yield?

Mr. JENKINS of Ohio. I yield.

Mr. MOTT. Apropos the colloquy between the gentleman from Missouri and myself a few moments ago, I have the figures which I would like to put in the Record. This is taken from the report of the chairman of our committee on the pending road bill. The total authorizations per year for the next 2 years are \$283,000,000. The collections in taxes from gasoline, lubricating oil, oils, tires and inner tubes, automobiles and motorcycles, automobile trucks, auto parts and accessories, amount to \$359,948,439 per year.

Mr. COCHRAN. Mr. Chairman, will the gentleman yield?

Mr. JENKINS of Ohio. Yes; I yield to permit the gentleman from Missouri to reply to the gentleman from Oregon.

Mr. COCHRAN. Certainly the gentleman does not think for one moment that when the revenue bill was passed carrying the taxes on gasoline and various excise taxes on automobiles and accessories that these taxes were adopted with the understanding that this specific money would be used for roads only. Furthermore, this report shows only the regular appropriations for Federal-aid highways. I ask the gentleman to find out how much W. P. A. spent, and find out how much extra money Congress appropriated for roads.

Mr. MOTT. I was not raising that point. The point I was raising was that the Federal Government was a greater gasoline-tax diverter than any State government.

Mr. JENKINS of Ohio. Mr. Chairman, I yield back the balance of my time.

Mr. DOWELL. Mr. Chairman, I move to strike out the last word.

I want to emphasize for just a moment the statement of the gentleman from Missouri [Mr. COCHRAN] with reference to the diversion of gasoline taxes and automobile taxes from the construction of Federal-aid roads. The Committee on Roads has insisted that the Federal-aid appropriations should be matched by the States and that the gasoline tax and automobile tax should be used for that purpose and not diverted to other uses.

There are at present nearly 30,000,000 motor vehicles on the streets and highways in the United States, and it is necessary that the road building be continued if we are to keep up with the great increase of the automobile traffic.

We have found that some of the States have diverted the gasoline money to other purposes than matching the Government Federal-aid fund. When a State diverts the gasoline and automobile taxes to other purposes and fails to match Federal-aid road funds, and the roads are not constructed, it is curbing and interfering with the Federal-aid system. It is intended that the Federal-aid funds shall be used in the construction of roads throughout the Federal-aid system, and it is intended that the several States will match these funds and construct the roads in the several States out of gasoline and automobile taxes.

Mr. MICHENER. Mr. Chairman, will the gentleman yield?

Mr. DOWELL. I yield.

Mr. MICHENER. If I understand the gentleman correctly, his theory is that the Congress of the United States should go into a State and tell the State which taxes it may raise and what it may do with the money after it levies the tax.

Mr. DOWELL. No. My position is that the tax raised for road construction by the States under its Federal-aid system should be from the gasoline and automobile tax.

Mr. MICHENER. Let us assume a State decided to raise its road money otherwise, or decides to levy a 7-cent tax on gasoline.

Mr. DOWELL. That is all right.

Mr. MICHENER. And it provides that 5 cents go to roads and 2 cents to something else. Does the gentleman insist that the Federal Government has any right to tell a State what it shall do with the taxes it levies and raises for State internal purposes?

Mr. DOWELL. If the gentleman understood me that way, it is not correct. At least, I did not so intend it. I did intend to say that the matching of Federal-aid funds should be paid out of gasoline and automobile taxes.

The testimony before the Committee on Roads shows that from 85 to 90 percent of the Federal-aid funds go to labor, and I doubt if there is any other construction work done by the Government where so much of the appropriations goes to labor. These highways are badly needed, including the farm-to-market and rural route roads, and the men out of employment are in great need of the employment.

WEATHER BUREAU IMPORTANT TO BUSINESS, AGRICULTURE, AND AVIATION

Mr. MAVERICK. Mr. Chairman, I am going to speak on a subject which is not specifically in order so far as roads are concerned, but it does have to do with this bill, and, in my opinion, it is a matter of extreme importance.

There was approved by the Bureau of the Budget the sum of \$541,951 for the development of aerological service in the Weather Bureau. The Weather Bureau does essential and most important work for agriculture and business in general, and for civil and military aviation.

I want to explain why I think this extra appropriation ought to be approved. We are going to approve, and everybody knows we are going to approve, the sum of \$100,000,000 in addition to the provisions of this bill for roads. This weather item of \$500,000 amounts to about one two-hundredths of the \$100,000,000, yet, apparently, we are not going to approve it at the present time. I am making this talk so the record will show the importance of Weather Bureau work and that aviation needs this extra appropriation.

THE ESTABLISHMENT OF 33 STATIONS AT AIRWAY TERMINALS

The purpose of this additional Weather Bureau service is to establish 33 stations at airway terminals in the United States of America. They will give a civilian and military service and, as I stated, the item was approved by the Department of Agriculture and was requested by both the Department of Agriculture and the Bureau of Air Commerce. The Budget urged its adoption. It was not objected to so far as the War Department is concerned and, in fact, I talked to them and they were hoping it would be agreed to.

As I said it establishes 33 air stations. The Federal airways in the last several years have greatly increased and from every standpoint of commerce and business are just as important as roads or, at least, proportionately important. It is essential for air travel that this item be included and if the House does not do so I hope the Senate does approve it.

PROVIDE SERVICE; PUT IN PROPER DEPARTMENT

The item is for the purpose of giving details on heights, visibility, upper-air soundings, maps, and information of that kind. If a member of the committee would like to say a few words I certainly would like to hear him because I believe if this item is not approved now it ought to be as soon as we can get around to it.

I heard one of the members of the committee say that this ought not to be under the Department of Agriculture. If it does not belong there, let us put it in the Bureau of Air

Commerce or in the War Department, wherever it properly belongs.

I heard others say that this would benefit the big airplane companies. Well, when you ride in an airplane and get killed, it does not make very much difference whether you are in a big plane or a little plane, or whether the plane is owned by a big company or a little company. This is for the benefit of human life, the defense, and the commerce of the country, and the item ought to be included.

I repeat, we are spending \$200,000,000 and we are all agreeing to it, yet we are passing up an item one two-hundredths as large, which is extremely important to the people of the United States, both from the viewpoint of life and business. [Applause.]

In order that the RECORD may show the recommendations of the Department of Agriculture, I insert them from the hearings, and they are as follows:

AEROLOGY

Mr. CANNON. The next item is aerology, as follows:

"Aerology: For the maintenance of stations for observing, measuring, and investigating atmospheric phenomena, including salaries and other expenses, in the city of Washington and elsewhere, \$2,732,130, of which \$55,000 shall be immediately available."

JUSTIFICATION OF ESTIMATE

Dr. GREGG. The following statement is presented for the record in explanation of this item:

Appropriation act, 1938.....	\$2,190,179
Budget estimate, 1939.....	2,732,130
Increase.....	541,951

"The net increase of \$541,951 in this item for 1939 consists of:

"(1) An increase of \$544,951 for commercial airway meteorological service, as follows:

"(a) \$449,951 for establishment of Weather Bureau airport stations at 33 airway terminals; and for inaugurating hourly weather reporting service at 9 points on airways: The Secretary of Commerce has requested the establishment of Weather Bureau airport stations at 40 important airway terminals which do not now have Weather Bureau service, in order that weather maps, hourly weather reports, upper-air wind data, and meteorological advice may be available at those points and along radiating airways for the safety of air navigation and for the particular requirements of the Bureau of Air Commerce airway traffic control program. With the above amount, the Weather Bureau would establish a minimum of 33 stations at airway terminals, manned by full-time Weather Bureau personnel, and a minimum of 9 stations for hourly weather reporting service on airways manned by part-time observers under the supervision of a full-time Weather Bureau employee.

"(b) \$20,000 for establishment of new stations and extension of airway weather service in Alaska: The Secretary of Commerce has also recommended that the Weather Bureau obtain funds for the extension and strengthening of the airway meteorological service in Alaska, to keep pace with and for the protection of the rapidly expanding air transport and aviation activities. Due to the deficiency of surface transportation, aviation is a major factor in the development of the Territory, and the airway meteorological service should be expanded and intensified to meet this situation. The \$20,000 increase will permit the establishment of first-order Weather Bureau stations at Anchorage and Ruby, with facilities for taking upper-air wind observations; the assignment of one additional employee to each of the existing first-order stations at Juneau, Fairbanks, and Nome, thus permitting additional observations and service at those points; and some slight intensification of service at and in the vicinity of other important points.

"(c) Seventy-five thousand dollars for the procurement, installation, and maintenance of modern instruments for airway stations now having incomplete or outmoded equipment: The Secretary of Commerce has recommended that the Weather Bureau request funds for replacing outmoded instruments and completing the instrumental equipment at airway stations now deficient in this respect. At present many of the airway weather reporting stations are incompletely equipped with instruments, and at many places the present equipment is partially or almost completely out of date. This results in incomplete and inaccurate reports being received from such points, omissions, and inaccuracies usually showing up in the most vital data, such as ceilings, dew points, winds, etc., which must, as a safety factor, be measured carefully by the most improved equipment possible to obtain. Because pilots and others using the airways, as well as the meteorologists of the Weather Bureau, are forced to use observations based on questionable or inadequate data, the efficiency of the service as a whole is greatly weakened.

"(2) A reduction of \$3,000 made possible through the contemplated completion during the fiscal year 1938 of a type of radiometerograph by the Bureau of Standards, funds for which were provided during the fiscal years 1937 and 1938.

"WORK UNDER THIS APPROPRIATION"

"General: As a consequence of the provisions of the Air Commerce Act of 1926, meteorological information and flying-weather forecasts are furnished to pilots on all airways designated by the Secretary of Commerce as routes suitable for air commerce. In addition, investigation and study and general weather forecasting of the upper air in the interest of air navigation are conducted under this appropriation.

"A. AEROLOGICAL SERVICE"

"1. Commercial airway meteorological service: Intensive weather service for air navigation was inaugurated by the Weather Bureau soon after passage of the Air Commerce Act in May 1926. At the close of 1926 the transcontinental airway was the only one on which flights were being made both day and night. Since that time the airway weather service has expanded with increased number of Federal airways. In 1937 there was approximately 20,000 miles of airways over which 24-hour weather service was maintained and approximately 15,000 miles over which service was maintained on a less than 24-hour basis. The airway weather service is maintained to provide the maximum amount of safety possible in air navigation so far as weather is concerned.

"Specific and accurate weather information is essential in air travel, particularly as regards ceiling heights and visibility. The airway weather service consists primarily of hourly reports from stations on the airways and 6-hour reports from off-airway stations, the latter category being composed of about 160 stations, thus providing a dense network of reports over the country as a whole. These reports are collected at 11 designated centers where they are charted and aviation forecasts prepared. These forecasts are promptly distributed over the airways network, chiefly by means of teletype and radio, with special advices at 3-hour intervals whenever important weather changes justify.

"2. Upper-air soundings: Observations in the upper air were begun in 1898 by the use of kites and captive balloons. Airplane observations began to displace kites and captive balloons in 1931 and wholly supplanted them in 1933.

"In July 1934 the Weather Bureau operated six airplane observation stations by contracting with commercial flyers, and the War and Navy Departments made airplane observations at approximately an equal number of stations each. Beginning in the first half of the fiscal year 1938, the Weather Bureau will have under contract 13 airplane observation stations, including 1 at Fairbanks, Alaska. The War and Navy Departments will make observations at eight and nine stations, respectively, including the Navy Department's stations at Pearl Harbor, Hawaii; Coco Solo, Canal Zone; and St. Thomas, Virgin Islands. The Dominion of Canada will make airplane observations at Toronto, Canada; and the Government of Newfoundland will make such observations at Norris Arm, Newfoundland. All of these observations will be available for use at forecast centers and other points in the United States.

"Pilot-balloon observations were inaugurated by the Weather Bureau in 1918, with the number of stations gradually increasing to some 77 in 1937. Airplane and pilot-balloon observations are essential in both general and airway forecasting and in identifying air masses.

"Sounding-balloon observations provide the same data as both airplane and pilot-balloon observations but to much greater heights. The records, however, are not available for current use, as the meteorograph usually lands at a considerable distance from the stations.

"Radiometerograph sounding-balloon observations will be made in 1937 at Burbank, Calif.; Fairbanks, Alaska; Washington, Mass.; and Washington, D. C. Airplane observations are made daily to heights of 16,500 feet, and free-air temperatures, pressures, and humidities are obtained. Pilot-balloon observations are made four times daily, and free-air wind directions and velocities at various elevations are obtained. These data are furnished to local flying interests and promptly transmitted to the various forecast centers. The computed records are forwarded to the central office of the Weather Bureau at Washington, where they are summarized and used in special studies and investigations. Monthly free-air temperatures and relative humidities for each station and monthly free-air wind resultants for a selected number of key stations are published regularly in the Monthly Weather Review. Sounding-balloon observations are made at only one or a relatively few stations in connection with special investigations of particular weather conditions and during international programs.

"B. AEROLOGICAL INVESTIGATIONS"

"3. Commercial airway forecast investigations: With the accumulation of observational data obtained since the inauguration of intensive airway weather service subsequent to the passage of the Air Commerce Act of 1926, studies have been made with a particular view to determining average flying weather conditions along the airways. Such studies are valuable in laying out new airports and airways and for determining regular flight schedules. Investigations under this project are conducted at the central office at Washington, D. C., and at stations where qualified personnel and the necessary data are available.

"4. Upper-air surveys and investigations: Numerous aerological surveys have been made to determine average temperatures, pressures, humidities, densities, winds, etc., at various elevations for different sections of the country, as well as special studies and investigations of upper-air conditions. Upper-air observations are

classified and correlated with surface conditions in order to determine significant relationships which may be useful in forecasting or to aid in a better understanding of the mechanics of the atmosphere. All observational data are forwarded to the central office of the Weather Bureau in Washington, where they are summarized and classified. The data are then used for making special studies and investigations leading to the improvement of general and airway forecasting, both as regards accuracy and length of time covered; to determine meteorological conditions favorable for the formation of ice on aircraft; and to effect improvements in methods of pressure reductions to sea level and to the 5,000-foot plane; and to increase our knowledge of the mechanics of the atmosphere."

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Missouri [Mr. CANNON].

The amendment was agreed to.

The Clerk read as follows:

FEDERAL-AID SECONDARY OR FEEDER ROADS

For secondary or feeder roads, including farm-to-market roads, rural free delivery mail roads, and public-school bus routes, \$10,000,000, to be immediately available and to remain available until expended, which sum is part of the \$25,000,000 authorized to be appropriated for the fiscal year 1938 by section 7 of the act approved June 16, 1936 (49 Stat. 1521).

Mr. CANNON of Missouri. Mr. Chairman, I offer an amendment, which I send to the Clerk's desk.

The Clerk read as follows:

Amendment offered by Mr. CANNON of Missouri: On page 72, line 12, strike out "\$10,000,000" and insert in lieu thereof "\$20,000,000."

On page 72, line 13, strike out "part" and insert in lieu thereof "the remainder."

Mr. CANNON of Missouri. Mr. Chairman, this amendment doubles the amount provided for secondary roads. In response to the suggestion by my good friend, the gentleman from Oregon [Mr. MOTT], to the effect that the Committee on Appropriations had changed its mind, may I say that the Committee on Appropriations has experienced no change either of heart or mind in its purpose to make ample provision for national highways. We originally provided a total of \$100,000,000 because at that time \$100,000,000 was all that was needed to meet conditions as we found them. It was only when those conditions changed and the submission of new projects by the States which made it necessary to enlarge the appropriation that we amended the bill. It was not a change of attitude on the part of the committee but a change of circumstances and an increase in the obligations for which the appropriation was made.

The CHAIRMAN. The question is on the committee amendment offered by the gentleman from Missouri.

The committee amendment was agreed to.

Mr. COCHRAN. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I ask the attention of the gentleman from Oregon [Mr. MOTT]. With further reference to the use of Federal funds by the Federal Government, I hold in my hand hearings before the Committee on Appropriations. Mr. Hopkins is testifying, and in speaking of the 1935 emergency relief appropriation, he says that nearly \$500,000,000 of that money was allocated for highway work under the supervision of the Bureau of Public Roads, for the construction of highways, streets, and grade crossings. I also find the W. P. A. had used its money to construct roads and streets in connection with its general work, spending nearly \$2,000,000,000 for the purpose. I am advised the Civilian Conservation Corps has likewise used a tremendous sum of money in constructing roads not only in national parks but in all the forest reservations of the United States. Therefore, when the record is consulted the gentleman from Oregon will find that even though the revenue bill did not provide specifically that the revenues from the gasoline tax, and so forth, were to be used solely for road purposes, nevertheless, the Government has taken out of the Treasury and spent over a billion dollars in excess of that which has been collected under the Revenue Act.

Mr. MOTT. Mr. Chairman, will the gentleman yield?

Mr. COCHRAN. I yield to the gentleman from Oregon.

Mr. MOTT. Nothing the gentleman has just stated contradicts anything I said in my statement of a few moments ago. We all know that in the early depression years and in the years of emergency W. P. A. money, C. C. C. money, work-relief and direct-relief money was used for certain kinds of road work under certain well-known conditions. We are all glad that these relief agencies used some of their money for road work because there is no place you can put money, relief or otherwise, that will give as great a return in relief as in road work. The expenditure the gentleman refers to, however, was for relief. The road work was incidental. That situation is fully covered in the 1938 Road Committee hearings by the testimony of the representatives of those relief agencies themselves.

Mr. COCHRAN. I did not yield for a speech. In agreeing with what the gentleman states, let me say the gentleman did not bring out in his statement or in his questions any information with reference to the vast amount of money that has been spent for road purposes other than the direct appropriations we make. My purpose in rising was to show the gentleman by the record that we have spent an enormous sum of money in excess of that which we appropriated directly for road purposes. The gentleman claimed a few moments ago the Government was diverting money collected in taxes.

Mr. MOTT. If that is all the gentleman is trying to tell me, he is telling me nothing I do not already know. I am quite familiar with the relief work these agencies did.

Mr. COCHRAN. The gentleman did not place the facts in the RECORD. I wanted to place them in the RECORD so the RECORD would show what has happened.

Mr. MOTT. If the gentleman means that some of the relief work was done on roads, I am glad that happened; but my statement still stands; that annually, year after year, for this year as well as for next year and for the past year, the Government has collected and will continue to collect more in taxes from gasoline, oil, automobiles, and accessories than it has expended or will expend on roads.

Mr. COCHRAN. I may say to the gentleman that in the end he will find his statement will not be correct, because we will use for road purposes a tremendous amount of the money we will appropriate in the relief bill this year as we did in the past and I propose to prove this statement before I complete my remarks.

Mr. MOTT. I hope after a while the Government will adopt a policy of paying out for road building at least as much as it collects in gasoline and other automobile taxes.

Mr. COCHRAN. When will the gentleman be willing to vote for a policy that will stop Federal aid for roads?

Mr. MOTT. When will I vote to stop it?

Mr. COCHRAN. The gentleman will never vote for it.

Mr. MOTT. I certainly will never vote to stop the Federal-aid highway policy because it is a sound policy and I very much doubt whether the gentleman will ever vote to repeal it. May I ask whether the gentleman is going to vote now for these amendments to increase the road appropriations for this year?

Mr. COCHRAN. Yes; because the President this week recommended that the money be appropriated; but I will again say if the President had not made the request I would have stood by his original recommendation for a reduction. Is that plain enough? Where does the money come from that we allocate to the States?

Mr. MOTT. It comes from Federal taxes, of course.

Mr. COCHRAN. It comes out of the pockets of the States. All we do is hand back to them that which we collect. Why not let a State collect the money itself and spend its own money, without having Uncle Sam be the papa all the time?

Mr. MOTT. If the gentleman keeps on talking he will convince me he is against this bill, and he has just said that he is not.

Mr. MICHENER. I wonder if the gentleman means what he says. My State, for instance, gets back about \$2 or \$3 for every \$9 it pays in.

Mr. COCHRAN. So does mine. Missouri is like Michigan, what is called a taxpaying State, one that pays into the Treasury in normal times more than it gets back in Federal aid.

Mr. MICHENER. We are very glad to accept the gentleman's philosophy, if that is the philosophy of the administration. In other words, we will collect our own money and spend our own money.

Mr. COCHRAN. I am not speaking for the administration.

Mr. MICHENER. What will become of the States that have no money?

Mr. COCHRAN. I have in mind to let the States take care of themselves for a while.

Mr. MICHENER. I agree with the gentleman.

Mr. COCHRAN. My viewpoint is if the Federal Government would discontinue the gasoline tax, provided it discontinued Federal aid for roads, and say to the various States if you want more money for roads add the tax the Government was collecting to your State tax and use it specifically for roads. If that was done I think my State would get more in the additional tax than it is now receiving from the Federal Government under the regular allocation for Federal highways. If the States desired to divert the money collected then that would be the business of the individual States and not the Federal Government.

Now as to the expenditures of Federal funds for road purposes. Let us take the report of the Works Progress Administration published last December. On page 10 of that report you find a table which shows for highways, roads, and streets a total of \$2,374,573,434 was spent by the W. P. A. and other Government agencies from 1935 until September 1937. Of this amount \$1,716,575,184 was spent on W. P. A. projects and \$657,998,250 by other Government agencies including the Bureau of Public Roads. Of the \$1,716,575,184 disbursed by W. P. A. the sponsors, the States, and subdivisions contributed between 20 and 25 percent, the balance coming out of the Federal Treasury. Does this look like the Government collected more for gasoline and automobile taxes than it disbursed? The statement that the Government used less than was collected for road purposes is certainly not justified by this record. We are more than 15 years ahead of our regular appropriation for roads due to the depression. Of course, it is a lasting improvement and money well spent when money must be spent to help the unemployed.

I include the following brief excerpts from the report of the Works Progress Administration:

About three-quarters of the estimated total cost of all W. P. A. projects initiated by the end of June 1937 is for construction activities. Repair, improvement, and modernization work account for a little more, and new construction work for a little less, than half the total cost of construction projects. Road construction and improvement are predominant and include large amounts of farm-to-market and other secondary road development as well as important street work in many cities.

Complete summarization of the accomplishments of the works program is virtually impossible because of the wide variety of the work and the varying local circumstances under which it is carried out.

If an inspection were made, agency by agency, it would reveal that more than 10,000 miles of roads have been laid and hundreds of grade crossings have been eliminated through projects of the Bureau of Public Roads.

During about 1 year of W. P. A. and N. Y. A. work project operations, through September 15, 1936, the work already accomplished was both extensive and diversified. At that time more than 29,000 miles of new road had been laid and about 93,500 miles had been repaired or improved.

It is reasonable to assume that the same amount of work on roads was accomplished from September 15, 1936, to September 15, 1937.

Remember the activities of the Works Progress Administration is from relief money and not from the regular appropriations.

The record certainly bears out my statement that we are more than 15 years ahead of our regular road program due to the depression.

The Clerk read as follows:

ELIMINATION OF GRADE CROSSINGS

For the elimination of hazards to life at railroad grade crossings, including the separation or protection of grades at crossings, the

LXXXIII—350

reconstruction of existing railroad grade-crossing structures, and the relocation of highways to eliminate grade crossings, \$20,000,000, to be immediately available and to remain available until expended, which sum is part of the \$50,000,000 authorized to be appropriated for the fiscal year 1938 by section 8 of the act approved June 16, 1936 (49 Stat. 1521).

Mr. CANNON of Missouri. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. CANNON of Missouri: On page 72, line 22, strike out "\$20,000,000" and insert in lieu thereof "\$40,000,000."

On page 72, line 24, strike out "part" and insert in lieu thereof "the remainder."

The amendment was agreed to.

Mr. CANNON of Missouri. Mr. Chairman, I offer a further amendment.

The Clerk read as follows:

Amendment offered by Mr. CANNON of Missouri: On page 73, after line 2, add a new paragraph, as follows:

"PUBLIC-LANDS HIGHWAYS

"For the survey, construction, reconstruction, and maintenance of main roads through unappropriated or unreserved public lands, nontaxable Indian lands, or other Federal reservations other than the forest reservations, under the provisions of the act of June 24, 1930 (23 U. S. C. 3), \$2,500,000, to be immediately available and to remain available until expended, which sum is the amount authorized for the fiscal year 1939 by section 3 of the act approved June 16, 1936 (49 Stat., p. 1520)."

Mr. TABER. Mr. Chairman, I make the point of order that this is not authorized by law. As I understand, there is no statute authorizing this particular appropriation.

Mr. WHITTINGTON. Mr. Chairman, in response to the point of order I call the attention of the Chair to the fact that this is authorized in the act of 1936 and this is the exact amount and the exact language of the authorization. Section 3 of the act authorizes it, and I have the act before me.

The CHAIRMAN. The Chair overrules the point of order.

The question is on the amendment offered by the gentleman from Missouri.

The amendment was agreed to.

The Clerk read as follows:

Total, Bureau of Public Roads, \$93,000,000.

Mr. CANNON of Missouri. Mr. Chairman, I offer an amendment correcting the total.

The Clerk read as follows:

Amendment offered by Mr. CANNON of Missouri: On page 73, line 3, strike out "\$93,000,000" and insert in lieu thereof "\$187,500,000."

The amendment was agreed to.

Mr. CANNON of Missouri. Mr. Chairman, there remains one paragraph on page 97 providing for forest roads and trails which was passed over by direction of the Committee.

The Clerk read as follows:

FOREST ROADS AND TRAILS

For carrying out the provisions of section 23 of the Federal Highway Act approved November 9, 1921 (23 U. S. C. 23), including not to exceed \$59,500 for departmental personal services in the District of Columbia, \$7,000,000, which sum is the balance of the amount authorized to be appropriated for the fiscal year 1938 by the act approved June 16, 1936, to be immediately available and to remain available until expended: *Provided*, That this appropriation shall be available for the rental, purchase, or construction of buildings necessary for the storage of equipment and supplies used for road and trail construction and maintenance, but the total cost of any such building purchased or constructed under this authorization shall not exceed \$7,500: *Provided further*, That there shall be available from this appropriation not to exceed \$50,000 for the completion of construction of buildings at Denver, Colo., for the storage and repair of Government equipment for use in the construction and maintenance of roads.

Mr. CANNON of Missouri. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. CANNON of Missouri: On page 98, line 3, strike out "\$7,000,000" and insert in lieu thereof "\$14,000,000."

On page 98, line 3, strike out "is" and insert in lieu thereof "consists of."

On page 98, line 4, after "1938" insert "and \$7,000,000 of the amount authorized to be appropriated for the fiscal year 1939."

Mr. TABER. Mr. Chairman, I make the point of order that this is not authorized by law and call the Chair's attention to the language on page 98, "which sum is the balance of the amount authorized to be appropriated for the fiscal year 1938," and so forth. It is evident that the authorization is exhausted by previous appropriations.

Mr. CANNON of Missouri. Mr. Chairman, this is authorized by the law quoted to the gentleman from New York in response to his point of order raised a few minutes ago. Under the Federal Aid Highway Act, approved June 11, 1916, section 2, there is specific authorization for this purpose. The provision is not subject to a point of order.

The CHAIRMAN. The Chair feels that the appropriation is duly authorized and therefore overrules the point of order.

The question is on the amendment offered by the gentleman from Missouri.

The amendment was agreed to.

Mr. CANNON of Missouri. Your Honor, I close for the defense. Quite a number of the jury, I am afraid, have already expressed an opinion, but I would like to submit final argument in behalf of my client, the Treasury of the United States, before we take a final vote on the amendments to this bill.

Mr. Chairman, the committees of the House are directed to investigate and report to the House such information as they are able to secure on the legislation which they report for the consideration of the House, and in this spirit the Committee on Appropriations submits such information as we have at this time pertinent to the question at hand.

I may say, Mr. Chairman, the committee is not chargeable with prejudice. Every member of the subcommittee represents an agricultural district. Every member of the subcommittee represents a district which would participate in the increases added to the pending bill in the Committee of the Whole. We could go back to our districts, after voting for these amendments, and get a few more votes, perhaps, because we supported them and be received more cordially at our State capitols if we supported the amendments that have been added to the bill by the Committee of the Whole.

But, Mr. Chairman, this bill is already top-heavy. It is already the largest bill for this purpose ever submitted to the House by the Committee on Appropriations in the history of the American Congress. With the additions which have been made in the Committee of the Whole it now appropriates between \$900,000,000 and \$1,000,000,000. I am certain Members of the House remember very well the protest that went up from the country when it was reported in the headlines of the Nation's newspapers that Congress had adjourned after voting \$1,000,000,000 for all governmental purposes. And Speaker Reed retorted that this was a billion-dollar country. Everywhere the Congress was decried, and criticized as "a billion-dollar Congress," yet we are here appropriating between \$900,000,000 and a billion dollars in this one bill.

Furthermore, the addition of the amounts added to the bill by these amendments throw the bill far over the Budget estimates. Here is \$3,800,000 for Bang's disease, \$1,000,000 for wildlife, \$400,000 for cattle ticks, \$10,000,000 for farm tenancy, a total of \$15,200,000 tacked onto the bill after 30 or 40 minutes' consideration.

It is a remarkable coincidence that all these amendments are to spend money. Not an amendment proposes to save money; not a proposition is offered to reduce a bill carrying thousands of items and millions of dollars. Nobody is interested in economy but the committee; everybody wants to spend—and that after the committee has already spent so much it is ashamed to spend any more.

Mr. SCHNEIDER of Wisconsin. Mr. Chairman, will the gentleman yield?

Mr. CANNON of Missouri. I yield to my friend from Wisconsin.

Mr. SCHNEIDER of Wisconsin. In a week or so we are going to vote a lot of money here for the purpose of getting out of this depression. Does not the gentleman agree that

many of these items were arbitrarily reduced by the Bureau of the Budget beyond a reasonable reduction?

Mr. CANNON of Missouri. No, Mr. Chairman, it is an entirely different proposition. We will shortly be called on to vote on a relief measure appropriating a very large sum, but under vastly different circumstances. In voting relief we are voting because there is no alternative. We are at war with adverse economic conditions which make relief indispensable. We have no choice in the matter. We cannot debate starvation. But in voting on these amendments we are free agents. They are purely business propositions. And since the beginning of recorded history elemental business principles have required rigid economy in expenditures exceeding incomes whether public or private.

And every dollar carried in these amendments is an appropriation beyond our national income.

Every dollar you are about to add to this bill will have to be borrowed. According to the latest and most authoritative estimates the deficit, as of the present date, is in excess of three and a half billion dollars. We have already spent over three and a half billion dollars more than the national revenues for the year.

So, Mr. Chairman, when you vote for these amendments you are not merely voting to appropriate money, you are voting to borrow money. You are not merely voting to spend money for cattle ticks, Bang's disease, and wildlife and free farms, but you are voting to increase a deficit already so large it staggers human comprehension. You are voting to add to the national debt, already the greatest national debt in the annals of international finance. You are voting to abandon every assurance of drastic economy given by every party in every national convention in the last decade.

These amendments do not provide for essentials. They are not indispensable. They do not even provide appreciable employment in comparison with roads, public buildings, and similar projects. Let me repeat, a vote for these amendments is a vote to borrow millions of dollars we have not got and never will have from present revenues; a vote to appropriate millions over the Budget; a vote to add millions to the national deficit; a vote to add millions to the national debt.

Let us take a sober second thought. Let us give Uncle Sam a break. If there is any doubt about these amendments, let us resolve that doubt in favor of the Government, in favor of the Treasury, in favor of the unborn generations which some bitter day will have to pay back every dollar we are voting to appropriate this afternoon.

Mr. Chairman, I move that the Committee do now rise.

Mr. IGLESIAS. Mr. Chairman, I ask unanimous consent to return to page 16 to correct an omission that has been made in regard to a statute passed by the Congress. That has been omitted.

The CHAIRMAN. The Resident Commissioner from Puerto Rico asks unanimous consent to return to page 16 for the purpose of offering an amendment. Is there objection?

Mr. BOILEAU. Mr. Chairman, I reserve the right to object, and I shall not object after the paragraph under consideration is disposed of, but the paragraph beginning on page 97 and ending on page 98 is still open to amendment. After that is disposed of, I shall have no objection.

Mr. CANNON of Missouri. Mr. Chairman, reserving the right to object, I have no objection to the gentleman discussing his amendment, but I much regret that under the rules of procedure I am compelled to object to returning to the item at this time.

The CHAIRMAN. Objection is heard.

Mr. CANNON of Missouri. Mr. Chairman, I move that the Committee do now rise.

Mr. BOILEAU and Mr. WITHROW rose.

The CHAIRMAN. For what purpose does the gentleman from Wisconsin rise?

Mr. WITHROW. I move to strike out the last two words.

Mr. TARVER. Mr. Chairman, I rise to a point of order. At the beginning of the session of the Committee of the Whole this afternoon, the Chairman, the gentleman from

Missouri [Mr. CANNON], asked unanimous consent that after the conclusion of the bill he might have 10 minutes in which to close the debate. That is tantamount to an agreement that debate should close with the use of the 10 minutes by the chairman of the subcommittee.

I therefore insist on it, because all debate on the bill has been closed.

Mr. BOILEAU. Mr. Chairman, I desire to be heard on the point of order.

The CHAIRMAN. The Chair will hear the gentleman.

Mr. BOILEAU. I submit, Mr. Chairman, that the paragraph beginning on page 97, line 25, and ending with line 16 on page 98, is still open for amendment. This paragraph was the last paragraph of the bill for consideration. It was read and certain amendments were offered. Immediately upon the adoption of the amendment offered by the gentleman from Missouri [Mr. CANNON] the gentleman from Missouri got the floor and started to talk without making any motion, without moving to close debate on the paragraph, and without any announcement from the Chair stating that debate had closed on the paragraph; and even though the gentleman from Missouri got the floor at that time as he probably could have gotten it at a later time, it does not foreclose Members from offering amendments to the paragraph. There was no announcement to the effect that all debate on the bill had closed, and there is neither rhyme nor reason for precluding the gentleman from Wisconsin from talking for 5 minutes on a motion to strike out the last two words of this paragraph.

The CHAIRMAN. The Chair will state that the gentleman from Missouri was recognized for 10 minutes under previous order, and that this concluded all debate on the bill.

Mr. BOILEAU. A point of order, Mr. Chairman.

The CHAIRMAN. The gentleman will state it.

Mr. BOILEAU. I make the point of order that the stenographic record will not show that the Chairman of the Committee of the Whole House on the state of the Union recognized the gentleman from Missouri pursuant to the former request made by him or the former order entered, and there was no notice served on the Members that the gentleman from Missouri was talking as a result of permission received earlier. The Chair did not state that the gentleman was recognized pursuant to the former order, and there was no reason for anyone to assume that the gentleman from Missouri was taking the last 10 minutes of debate, nor will the RECORD show any reason so to assume. I submit that the gentleman from Wisconsin is entitled to recognition because this paragraph is still open to debate.

Mr. CANNON of Missouri. Mr. Chairman, to the contrary, the Chair recognized the gentleman from Missouri without his asking for recognition saying that it was in conformity with the previous order of the Committee.

Mr. BOILEAU. I will agree to that.

The CHAIRMAN. The gentleman from Missouri is correct. The Chair proceeded under the agreement previously entered into.

The question is on the motion of the gentleman from Missouri that the Committee do now rise and report the bill back to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker having resumed the Chair, Mr. NELSON, Chairman of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H. R. 10238) making appropriations for the Department of Agriculture and for the Farm Credit Administration for the fiscal year ending June 30, 1939, and for other purposes, directed him to report the same back to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

Mr. CANNON of Missouri. Mr. Speaker, I move the previous question on the bill and all amendments to final passage.

The SPEAKER. The gentleman from Missouri moves the previous question on the bill and all amendments to final passage.

Mr. BOILEAU. Mr. Speaker, a point of order.

The SPEAKER. The gentleman will state his point of order.

Mr. BOILEAU. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. The Chair will count. [After counting.] One hundred and forty-three Members are present, not a quorum.

Mr. CANNON of Missouri. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 59]

Amlie	Evans	McClellan	Ryan
Anderson, Mo.	Fish	McCormack	Sabath
Andrews	Fitzpatrick	McFarlane	Schuetz
Arnold	Flaherty	McGranery	Schulte
Atkinson	Flannery	McKeough	Scott
Barden	Fleger	McSweeney	Sirovich
Barton	Ford, Calif.	Maas	Smith, Okla.
Beam	Frey, Pa.	Magnuson	Smith, Wash.
Bell	Fries, Ill.	Maloney	Smith, W. Va.
Boehne	Gasque	Mansfield	Snell
Boykin	Gingery	Martin, Mass.	Snyder, Pa.
Boylan, N. Y.	Green	Mason	Somers, N. Y.
Buckley, N. Y.	Greenwood	Mead	Starnes
Byrne	Griswold	Mills	Steagall
Caldwell	Hamilton	Mitchell, Ill.	Sullivan
Cannon, Wis.	Hancock, N. C.	Mouton	Sumners, Tex.
Carter	Harlan	Nichols	Swope
Champion	Harrington	Norton	Taylor, S. C.
Chandler	Harter	O'Brien, Ill.	Thomas, N. J.
Clason	Hartley	O'Brien, Mich.	Thompson, Ill.
Claypool	Healey	O'Connell, Mont.	Thurston
Cole, Md.	Hennings	O'Connor, Mont.	Tobey
Cooley	Hill	O'Connor, N. Y.	Towey
Costello	Hoffman	O'Day	Vincent, B. M.
Crosby	Honeyman	O'Malley	Wallgren
Culkin	Izac	Pettengill	Weaver
Delaney	Jenckes, Ind.	Pfeifer	Welch
Disney	Kelly, Ill.	Phillips	Wene
Ditter	Kocalkowski	Plumley	Whelchel
Dockweller	Kramer	Powers	White, Idaho
Douglas	Lemke	Reece, Tenn.	White, Ohio
Eaton	Lewis, Md.	Rellly	Wilcox
Edmiston	McAndrews	Robison, Ky.	Wolcott

The SPEAKER. Two hundred and ninety-three Members have answered to their names, a quorum.

On motion of Mr. CANNON of Missouri, further proceedings under the call were dispensed with.

The SPEAKER. The question is on the motion of the gentleman from Missouri [Mr. CANNON] that the previous question be ordered on the bill and amendments to final passage.

The previous question was ordered.

The SPEAKER. Is a separate vote demanded on any amendment?

Mr. CANNON of Missouri. Mr. Speaker, I ask for a separate vote on the amendment appearing on page 25, having to do with Bang's disease; the amendment on page 27, with regard to cattle ticks; the amendment on page 68, with regard to wildlife; and the amendment on page 95, offered by the gentleman from Oklahoma [Mr. JOHNSON], providing for an increase in the farm tenancy allowance.

The SPEAKER. Is a separate vote demanded on any of the other amendments? If not, the Chair will put them in gross.

The amendments were agreed to.

The SPEAKER. The Clerk will report the first amendment on which a separate vote is demanded.

The Clerk read as follows:

Page 25, line 15, strike out "\$1,603,000" and insert in lieu thereof "\$5,403,000."

Mr. FULLER. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. FULLER. The Members of the House cannot understand the amendment to which reference has just been made.

The SPEAKER. Without objection, the Clerk will again report the amendment.

Mr. FULLER. We heard the Clerk report the amendment, but it deals with figures only. Which amendment is it commonly known as? Is this the Bang's disease amendment?

The SPEAKER. The gentleman from Missouri stated this was the amendment increasing the appropriation for the eradication of Bang's disease.

Mr. FULLER. That is what we want to know.

The SPEAKER. The question is on agreeing to the amendment.

The question was taken; and on a division (demanded by Mr. CANNON of Missouri) there were—ayes 167, noes 51.

So the amendment was agreed to.

The SPEAKER. The Clerk will report the next amendment on which a separate vote is demanded.

The Clerk read as follows:

Page 27, line 12, strike out "\$503,940" and insert in lieu thereof "\$903,940"; and in line 22, strike out the period, insert a colon and the following: "Provided further, That of the sum \$903,940, \$400,000 shall be available for eradication of cattle ticks in States only where the Secretary of Agriculture has satisfactory assurance that there is emergency need for additional funds for this purpose."

The SPEAKER. The question is on agreeing to the amendment.

The question was taken; and on a division (demanded by Mr. KLEBERG and Mr. LANHAM) there were—ayes 56, noes 86.

So the amendment was rejected.

The SPEAKER. The Clerk will report the next amendment on which a separate vote is demanded.

The Clerk read as follows:

Page 68, line 22, after the period, insert a new paragraph reading as follows:

"FEDERAL AID IN WILDLIFE RESTORATION"

"For carrying out the provisions of the act entitled 'An act to provide that the United States shall aid the States in wildlife restoration projects, and for other purposes,' approved September 2, 1937 (50 Stat. 917), \$1,000,000: *Provided*, That expenditures hereunder shall not exceed the aggregate receipts covered into the Treasury under the provisions of said act."

The SPEAKER. The question is on the amendment.

The question was taken; and on a division (demanded by Mr. CANNON of Missouri) there were—ayes 163, noes 41.

Mr. CANNON of Missouri. Mr. Speaker, I make the point of order a quorum is not present.

The SPEAKER. Does the gentleman from Missouri object to the vote on the ground a quorum is not present?

Mr. CANNON of Missouri. I do, Mr. Speaker.

The SPEAKER. The Chair will count. [After counting.] Two hundred and thirty-eight Members are present, a quorum.

So the amendment was agreed to.

The SPEAKER. The Clerk will report the next amendment on which a separate vote has been demanded.

The Clerk read as follows:

On page 95, line 24, after the word "act", strike out "\$15,000,000" and insert "\$25,000,000."

The SPEAKER. The question is on the amendment.

The question was taken; and on a division (demanded by Mr. JOHNSON of Oklahoma and Mr. WOOD) there were—ayes 71, noes 101.

Mr. JOHNSON of Oklahoma and Mr. WOOD demanded the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 149, nays 154, not voting 125, as follows:

[Roll No. 60]

YEAS—149

Aleshire	Burdick	Crowe	Elliott
Allen, La.	Carlson	Deen	Farley
Allen, Pa.	Cartwright	Dempsey	Flannagan
Bernard	Case, S. Dak.	DeMuth	Ford, Miss.
Bigelow	Chapman	DeRouen	Fuller
Binderup	Clark, Idaho	Dies	Fulmer
Bolleau	Coffee, Wash.	Dowell	Garrett
Boren	Collins	Doxey	Gehrman
Brooks	Colmer	Driver	Gilchrist
Brown	Cooper	Duncan	Gildea
Buckler, Minn.	Creal	Dunn	Gray, Ind.

Greever	Lanham	Owen	Shannon
Gregory	Long	Pace	Sheppard
Griffith	Lucas	Parsons	Sirovich
Harrington	Luckey, Nebr.	Patman	Smith, Wash.
Havener	Luecke, Mich.	Patterson	South
Hildebrandt	McCormack	Patton	Sparkman
Hill	McFarlane	Pearson	Spence
Hobbs	McGrath	Peterson, Fla.	Stefan
Hope	McReynolds	Pierce	Teigan
Houston	McSweeney	Poage	Terry
Hull	Magnuson	Ramsay	Thomas, Tex.
Hunter	Mahon, S. C.	Ramspeck	Thomason, Tex.
Imhoff	Mahon, Tex.	Randolph	Tolan
Izac	Mansfield	Rankin	Turner
Jacobsen	Martin, Colo.	Rees, Kans.	Vincent, B. M.
Johnson, Luther A.	Massingale	Richards	Vinson, Fred M.
Johnson, Lyndon	Maverick	Rigney	Vinson, Ga.
Johnson, Minn.	May	Rogers, Okla.	Voorhis
Johnson, Okla.	Mead	Romjue	Wallgren
Johnson, W. Va.	Meeks	Ryan	Wearin
Jones	Mills	Sadowski	Withrow
Keller	Mitchell, Tenn.	Sanders	Wolverton
Kerr	Mouton	Sauthoff	Wood
Kitchens	Murdock, Ariz.	Schaefer, Ill.	Zimmerman
Kniffin	Murdock, Utah	Schneider, Wis.	
Kopplemann	Nelson	Scruggam	
Kvale	O'Connell, Mont.	Shanley	

NAYS—154

Allen, Del.	Dirksen	Kinzer	Robinson, Utah
Allen, Ill.	Dixon	Kirwan	Rockefeller
Andresen, Minn.	Dondero	Kleberg	Rogers, Mass.
Arends	Dorsey	Knutson	Rutherford
Ashbrook	Doughton	Lambertson	Sacks
Bacon	Drew, Pa.	Lambertson	Satterfield
Barry	Drewry, Va.	Lanzetta	Secrest
Bates	Eberhart	Leavy	Seger
Belter	Eckert	Lesinski	Shafer, Mich.
Biermann	Elcher	Lewis, Colo.	Short
Bland	Engel	Lord	Simpson
Bloom	Englebright	Luce	Smith, Conn.
Boland, Pa.	Fitzgerald	Ludlow	Smith, Maine
Boyer	Fitzpatrick	McLaughlin	Smith, Va.
Bradley	Fletcher	McMillan	Snell
Brewster	Forand	Maas	Snyder, Pa.
Buck	Gamble, N. Y.	Mapes	Sutphin
Bulwinkle	Gambrill, Md.	Merritt	Sweeney
Byrne	Gasque	Michener	Taber
Cannon, Mo.	Gearhart	Mitchell, Ill.	Tarver
Casey, Mass.	Gifford	Moser, Pa.	Taylor, Colo.
Celler	Goldsborough	Mosier, Ohio	Taylor, Tenn.
Church	Gray, Pa.	Mott	Thom
Citron	Gwynne	O'Connell, R. I.	Tinkham
Clark, N. C.	Haines	O'Leary	Transue
Cluett	Halleck	Oliver	Treadway
Cochran	Hancock, N. Y.	O'Neal, Ky.	Unstead
Coffee, Nebr.	Hart	O'Neill, N. J.	Wadsworth
Cole, N. Y.	Healey	O'Toole	Walter
Connery	Holmes	Palmisano	Warren
Cravens	Hook	Peterson, Ga.	West
Crawford	Jarman	Powers	White, Ohio
Crosser	Jarrett	Rabaut	Wigglesworth
Crowther	Jenkins, Ohio	Rayburn	Williams
Cullen	Jenks, N. H.	Reed, Ill.	Wolfenden
Cummings	Kee	Reed, N. Y.	Woodruff
Curley	Kelly, N. Y.	Reilly	Woodrum
Daly	Kennedy, Md.	Rich	
Dickstein	Keogh	Robertson	

NOT VOTING—125

Amile	Douglas	Kocalkowski	Reece, Tenn.
Anderson, Mo.	Eaton	Kramer	Robson, Ky.
Andrews	Edmiston	Lamneck	Sabath
Arnold	Evans	Larrabee	Schuetz
Atkinson	Faddis	Lea	Schulte
Barden	Ferguson	Lemke	Scott
Barton	Fernandez	Lewis, Md.	Smith, Okla.
Beam	Fish	McAndrews	Smith, W. Va.
Bell	Flaherty	McClellan	Somers, N. Y.
Boehne	Flannery	McGehee	Stack
Boykin	Fleger	McGranery	Starnes
Boylan, N. Y.	Ford, Calif.	McGroarty	Stegall
Buckley, N. Y.	Frey, Pa.	McKeough	Sullivan
Burch	Fries, Ill.	McLean	Sumners, Tex.
Caldwell	Gavagan	Maloney	Swope
Cannon, Wis.	Gingery	Martin, Mass.	Taylor, S. C.
Carter	Green	Mason	Thomas, N. J.
Champlin	Greenwood	Nichols	Thompson, Ill.
Chandler	Griswold	Norton	Thurston
Clason	Guyer	O'Brien, Ill.	Tobey
Claypool	Hamilton	O'Brien, Mich.	Towey
Cole, Md.	Hancock, N. C.	O'Connor, Mont.	Weaver
Cooley	Harlan	O'Connor, N. Y.	Welch
Costello	Harter	O'Day	Wene
Cox	Hartley	O'Malley	Welchel
Crosby	Hendricks	Patrick	White, Idaho
Culkin	Hennings	Pettengill	Whittington
Delaney	Hoffman	Pfeifer	Wilcox
Dingell	Honeyman	Phillips	Wolcott
Disney	Jenckes, Ind.	Plumley	
Ditter	Kelly, Ill.	Polk	
Dockweiler	Kennedy, N. Y.	Quinn	

So the amendment was rejected.

The Clerk announced the following pairs:
On the vote:

Mr. Amlie (for) with Mr. Hamilton (against).
Mr. Lemke (for) with Mr. Thomas of New Jersey (against).
Mr. O'Malley (for) with Mr. Ditter (against).

General pairs:

Mr. O'Connor of New York with Mr. Martin of Massachusetts.
Mr. Whittington with Mr. Eaton.
Mr. Steagall with Mr. Carter.
Mr. Cooley with Mr. Guyer.
Mr. Sullivan with Mr. Reece of Tennessee.
Mr. Beam with Mr. Tobey.
Mr. Greenwood with Mr. Fish.
Mr. Burch with Mr. Hartley.
Mr. Cox with Mr. Barton.
Mr. McAndrews with Mr. Wolcott.
Mr. Kennedy of New York with Mr. Mason.
Mr. Maloney with Mr. Hoffman.
Mr. Boehne with Mr. Culin.
Mr. Fernandez with Mr. McLean.
Mr. Gavagan with Mr. Douglas.
Mr. Thompson of Illinois with Mr. Clason.
Mr. Weaver with Mr. Robson of Kentucky.
Mr. Griswold with Mr. Andrews.
Mr. Kramer with Mr. Plumley.
Mr. Lamneck with Mr. Welch.
Mr. Frey of Pennsylvania with Mr. Arnold.
Mrs. Norton with Mr. Gingery.
Mr. Taylor of South Carolina with Mr. Buckley of New York.
Mr. Summers of Texas with Mr. Disney.
Mr. Patrick with Mr. Hancock of North Carolina.
Mr. Schuetz with Mr. Ferguson.
Mrs. Jenckes of Indiana with Mr. Stack.
Mr. Towey with Mr. Fries of Illinois.
Mr. Atkinson with Mr. McGranery.
Mr. Bell with Mr. O'Brien of Illinois.
Mr. Harlan with Mr. Hendricks.
Mr. Polk with Mr. Welchel.
Mr. Barden with Mr. Flaherty.
Mr. Scott with Mr. Pfeifer.
Mr. Delaney with Mr. Lea.
Mr. White of Idaho with Mr. McKeough.
Mr. Anderson of Missouri with Mr. Flannery.
Mr. Nichols with Mr. O'Brien of Michigan.
Mr. Boykin with Mr. Harter.
Mr. Green with Mr. O'Connor of Montana.
Mr. Boylan of New York with Mr. Wilcox.
Mr. Pettengill with Mr. Caldwell.
Mr. Hennings with Mr. Crosby.
Mr. Phillips with Mr. Chandler.
Mr. Claypool with Mr. Quinn.
Mr. Schulte with Mr. Costello.
Mr. Kelly of Illinois with Mr. Larrabee.
Mr. Cole of Maryland with Mr. Kocialkowski.
Mr. Evans with Mr. Starnes.
Mr. Dockweller with Mr. Swope.
Mr. Somers of New York with Mr. Lewis of Maryland.
Mr. Faddis with Mr. Smith of Oklahoma.
Mr. Dingell with Mr. McClellan.

Mr. TAYLOR of Colorado changed his vote from "yea" to "nay."

Mr. SADOWSKI and Mr. IMHOFF changed their votes from "nay" to "yea."

The result of the vote was announced as above recorded.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. CANNON of Missouri, a motion to reconsider was laid on the table.

Mr. CANNON of Missouri. Mr. Speaker, I ask unanimous consent that all Members who spoke on the Agricultural Department Appropriation bill, 1939, may have 5 legislative days in which to extend their remarks in the RECORD on the bill.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

EXTENSION OF REMARKS

Mr. HOBBS. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a newspaper article upon a distinguished constituent.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. ROBERTSON and Mr. VOORHIS asked and were given permission to extend their own remarks in the RECORD.

CHARLES J. COLDEN

Mr. BLAND. Mr. Speaker, I ask unanimous consent to spread upon the record at this point resolutions adopted this morning by the Committee on Merchant Marine and

Fisheries on the life and services of Hon. CHARLES J. COLDEN, expressing sympathy for his death.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

The resolutions referred to are as follows:

Whereas the Committee on Merchant Marine and Fisheries finds its personnel reduced by the loss of one of its most diligent and faithful members and notes with sorrow the presence of a vacant chair to which its former occupant will not return: Now, therefore, be it

Resolved, First, that this committee recognizes in the death of Hon. CHARLES J. COLDEN, Representative from the Seventeenth District of California and a member of this committee, the loss of a devoted public servant, a faithful Representative, a loyal American, a sterling patriot, and a loving friend whose record in Congress was marked by industry, ability, fidelity, and zeal, and whose sound judgment and signal ability were of inestimable benefit to this committee in all of its deliberations;

Second, that this committee will ever cherish the memory of its association with Mr. COLDEN and will find in the patience, intelligence, and zeal with which he served an example and inspiration;

Third, that this committee extends to the district which Mr. COLDEN served and to the family which survives him its deepest sympathy in their sorrow; and

Fourth, that these resolutions shall be spread upon the records of this committee, that a request be made to have this resolution made a part of the CONGRESSIONAL RECORD, and that a copy shall be sent to the family of the deceased.

COMMITTEE ON THE JUDICIARY

Mr. ROGERS of Oklahoma. Mr. Speaker, I ask unanimous consent that the Committee on Indian Affairs may be discharged from the further consideration of the bills S. 3166 and H. R. 10126, to amend section 2139 of the Revised Statutes, as amended, and that the bills may be referred to the Committee on the Judiciary.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

EXTENSION OF REMARKS

Mr. BOREN. Mr. Speaker, I ask unanimous consent that my colleague the gentleman from Oklahoma [Mr. SMITH] may have permission to extend his own remarks in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. MCSWEENEY. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by including some statements by my fellow townsman, Mr. Steiner, with reference to the transcontinental highway.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

EXTENSION OF CIVIL SERVICE TO INCLUDE POSTMASTERS

Mr. RAMSPECK. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 1531) extending the classified civil service to include postmasters of the first, second, and third classes, and for other purposes, with a Senate amendment, disagree to the Senate amendment, and agree to the conference asked by the Senate.

Mr. BACON. I object, Mr. Speaker.

COAST GUARD

The SPEAKER. The Chair lays before the House a request from the Senate.

The Clerk read as follows:

JANUARY 5 (CALENDAR DAY, APRIL 7), 1938.

Ordered, That the Secretary be directed to request the House of Representatives to return to the Senate the bill (S. 2206) to provide for the transfer of enlisted men of the Coast Guard to the Coast Guard Reserve.

The SPEAKER. Without objection, the request will be granted.

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. DICKSTEIN. Mr. Speaker, I ask unanimous consent that on Thursday next, after the disposition of the business on the Speaker's table and following the legislative

program of the day, I may be permitted to address the House for 20 minutes.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

MEMORIAL TO THE LATE GUGLIELMO MARCONI

Mr. KEOGH. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. KEOGH. Mr. Speaker, there is space in Washington for a memorial to an outstanding man. I am proud to rise in support of House Joint Resolution 499, to authorize the erection of a memorial to the late Guglielmo Marconi.

The Marconi Memorial Foundation, Inc., headed by the outstanding Italian-American editor, Gr. UFF Generoso Pope, and including among its members many prominent Americans, has offered to donate a suitable monument.

Signor Marconi was an inventive genius, surpassed by few, if any, the world has ever known. As such he is rightfully entitled to be suitably honored by the citizens of the United States. He belonged to us, as to his native land, and might better be called a citizen of the world. His fame is limitless, as is the area covered by his great inventions of wireless telegraphy and radio. His life, too, is typical of a great person.

He was born at Bologna, Italy, on April 25, 1874. At an early age he showed his ability in science and mathematics and at the early age of 21 he believed electric waves could be transmitted great distances through the air. He was fortunate at this time to be privileged to study under Prof. Augusto Righi.

At Marconi's father's house, Villa di Pontecchio, near Bologna were built what were the world's first wireless telegraph stations. Constant application and improvement were crowned with success with the opening on October 16, 1907, of a regular wireless telegraph service between the United States and Europe.

From wireless telegraphy—transmitting sounds—Signor Marconi moved ahead until in 1924 he transmitted the human voice in short waves from England to Australia, a distance of 10,500 miles.

With the development of this great invention the world was made small, distance was dissolved, and world-wide interchange of thought made possible. To the genius who was the inventor came many honors from his own native Italy, from the United States, from the world. His King made him a marquis, his people elected him to the Senate. Every country decorated him, and the universities of Bologna, Columbia, Oxford, Cambridge, and many others conferred honorary degrees. In 1909 he divided the Nobel scientific award for physics and received many other awards and medals from honorary and scientific societies. In 1928 he was elected president of the National Research Council of Rome and in 1930 president of the Royal Academy of Italy. He was fittingly honored by the world's fair at Chicago, to which he was invited by the United States. October 2, 1933, was dedicated, at the fair, as Marconi Day as a mark of respect and admiration to the great inventor.

Mr. Speaker, there is space in Washington for a memorial to Senator Guglielmo Marconi. There is space here thus to honor fittingly a distinguished life spent in serving and benefitting mankind, and there is space here thus to show the deep respect we hold for this great son of Italy, and through him to show abiding respect for the many other citizens of that country who, having come here, have spent their lives in serving and benefiting their fellow man and making ideal citizens of the United States.

Mr. Speaker, House Joint Resolution 499 has received favorable consideration, and I was happy to join my colleague the distinguished gentleman from New York [Mr. LANZETTA] in urging favorable action by the President.

EXTENSION OF REMARKS

Mr. HALLECK. Mr. Speaker, I ask unanimous consent to extend my remarks in the Record by including therein a brief article written by one of the outstanding citizens of my district, George Ade, for the Greenwich Times, of Greenwich, Conn.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

WAR DEPARTMENT CIVIL FUNCTIONS APPROPRIATION BILL, 1939

Mr. SNYDER of Pennsylvania. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 10291) making appropriations for the fiscal year ending June 30, 1939, for civil functions administered by the War Department, and for other purposes; and pending that, I ask unanimous consent that general debate on the bill may run along for the remainder of the day, the time to be equally divided between the gentleman from New Jersey [Mr. POWERS] and myself. On Thursday when we take up the consideration of this bill we can decide how long general debate shall continue.

Mr. POWERS. Reserving the right to object, Mr. Speaker, may I suggest to the gentleman from Pennsylvania that we agree that general debate continue for 2 hours today. Of course, there will be no general debate on this bill tomorrow. May I further suggest that general debate continue on Thursday until 2 o'clock, and that at 2 o'clock the reading of the bill be started? I also suggest that the time be equally divided and controlled by the gentleman from Pennsylvania and myself.

The SPEAKER. Does the gentleman from Pennsylvania modify his request to provide that general debate on the bill continue for 2 hours today, to be equally divided and controlled by the gentleman from New Jersey and himself, and that general debate conclude at 2 o'clock on Thursday, the time to be equally divided and controlled by the gentleman from New Jersey and himself?

Mr. SNYDER of Pennsylvania. I so modify my request, Mr. Speaker.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The motion was agreed to.

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 10291, with Mr. DOXEY in the chair.

The Clerk read the title of the bill.

The first reading of the bill was dispensed with.

Mr. POWERS. Mr. Chairman, I yield 20 minutes to the gentleman from Michigan [Mr. ENGEL].

Mr. ENGEL. Mr. Chairman, some 2 years ago there was attached to the civil functions bill of the War Department a rider providing for the selection of a site and the erection of two palaces for the High Commissioner of the Philippine Islands.

During the hearings on this bill, with the help of some of my able friends on the committee from both sides of the aisle, I asked the High Commissioner, Mr. McNutt, about the ground upon which these palaces are to be built and who was responsible for the selection of the ground and the erection of these two palaces. I found that when the Tydings-McDuffie Act was passed it provided for turning over to the Philippine government the great palace which the Governor General occupied. This was the last thing, I think, we had left for the \$20,000,000 we paid for the Philippine Islands. The Philippine government was supposed to furnish us with a site upon which to build a new palace somewhere in Manila. When it came to the selection of this site the Philippine government, with the aid of the then Governor General or the High Commissioner later on, selected 17 acres of Manila Bay, and we are now just completing the making of 17 acres of land. We have built a

sea wall that is more than 1,700 feet long in some 38 feet of water with the foundation beneath the bottom of the bay, and filled that in with 45 feet of dirt, at a cost of \$75,000.

I want to read the testimony of Commissioner McNutt before our committee:

Mr. ENGEL. The \$55,000 is for what?

Mr. McNUTT. For a sea wall.

Mr. ENGEL. Is that the place where they were making land?

Mr. McNUTT. Yes; the site of the High Commissioner's residence in Manila is made land, made out of the bottom of Manila Bay.

Mr. ENGEL. How much is it costing to make that land?

Mr. McNUTT. It is costing us around \$75,000.

Mr. ENGEL. How much land are you making there?

Mr. McNUTT. Seventeen acres.

Mr. ENGEL. In other words, you are making 17 acres of land where the ocean now is?

Mr. McNUTT. We are making it of what is now Manila Bay.

Mr. ENGEL. To get a residence for the High Commissioner?

Mr. McNUTT. That is right.

Mr. ENGEL. On the 17 acres of made land, at a cost of \$75,000, we are adding this one residence at Manila?

Mr. McNUTT. That is right. That is as of December 31, the total expenditure including the plans for the building amounted to \$87,275.

Mr. ENGEL. What about the balance?

Mr. McNUTT. The balance of \$75,631 was expended or obligated in Manila for the construction of the sea wall and the fill. The pumping was done by the Philippine Commonwealth.

Mr. TERRY. Why was it necessary to have this residence in that particular place?

Mr. McNUTT. That is one question I wish I could answer. I quite agree with you.

Mr. ENGEL. Was there not some other place available?

Mr. McNUTT. There was not any question about it. I do not know how it was selected.

Mr. TERRY. Who selected the site?

Mr. McNUTT. I suppose it was selected by my predecessor.

Mr. ENGEL. There are a lot of other sites that would have been available?

Mr. McNUTT. If I had been choosing a site, there is one of the other sites I would have chosen.

Mr. ENGEL. At what expense?

Mr. McNUTT. At no expense. We owned it.

Mr. ENGEL. In other words, we had other sites available that we owned, on which we could have put this residence, without an expenditure?

Mr. McNUTT. That is right.

Mr. ENGEL. Did not the fact that it was close to the center of activities have something to do with it?

Mr. McNUTT. I suppose there were those possibilities. For example, that question was not for me to decide; when I got there it was almost completed.

Mr. ENGEL. I am not holding you responsible.

Mr. McNUTT. I do not know what reason brought about the final decision to put it there. You asked me the question; whether there was another site that I would have liked better. I think Occupation Point, which was the first place where the flag went up, would have been ideal, and how it happened to be passed up for this site, I do not know.

Mr. ENGEL. We owned that point?

Mr. McNUTT. We could have had anything we wanted. There may have been reasons; I am not gainsaying that.

Mr. DOWELL. Mr. Chairman, will the gentleman yield?

Mr. ENGEL. I yield.

Mr. DOWELL. Who was the commissioner who made the selection of the site?

Mr. ENGEL. Governor Murphy, of Michigan.

Then I wrote the State Department about the matter, but, first, Admiral Peoples came over, with two assistants, and then the Assistant Secretary of State, with an assistant, and they passed the buck to the War Department, and then the War Department wrote me as follows:

The question of securing a suitable site for an office and residence in Manila was taken up by this Bureau with Governor General Murphy, who, after a careful survey of various locations, decided that a site in the general area of the Luneta, Dewey Boulevard, was most suitable for our requirements.

There is no question but what Governor Murphy was the man who recommended this site and recommended that the War Department go out there and spend \$75,000. To put a sea wall in 38 feet of water and build 17 acres of land is an outrage, but that is not the end of it. They are building a palace there and I asked for the plans of the palace. I have them here with me and I want to tell you something about that.

This palace, Mr. Chairman, is actually 263 feet long and 183 feet wide, taking in all the wings, but, taking the Treasury Department figures and excluding the wings, it is 203 feet long, or 33 feet longer than the White House. It is 134 feet wide, or 49 feet wider than the White House. Can you imagine building a palace over there that is 33 feet longer and 49 feet wider than the White House? I am taking the figures of the Congressional Library for the dimensions of the White House. The White House has 18 acres of land, while this will have 17 acres of made ground, and the palace itself covers very nearly an acre of ground.

This palace has a total of approximately 86 rooms, loggias, halls, and what not. It has 19 lodges, loggias, and so forth, which are from 9½ to 13 feet wide, and in the aggregate 825 feet long, all lounges. They must have a lot of lounge lizards over there.

Now, let me describe the palace there. It has a ballroom in it and the dance floor. Just the floor where they dance is 40 feet wide and 65 feet long and two stories high. I think that would make a pretty good-sized farmer's barn.

It has two alcoves or lounges 9½ feet wide by 65 feet long, with a reception hall 13 feet wide and 62 feet long. Think of it! This all goes with the ballroom, and they tell us we are getting out of the Philippine Islands.

This palace has a library 22 feet wide and 30 feet long, two stories high. It has a banquet hall 22 feet by 40 feet, two stories high. It has a study 14 feet by 13 feet, all this on the first floor. Two foyers, 12 feet by 22 feet each. Two loggias, 9½ feet by 44 feet each. Entrance lobby, 15 feet by 62 feet. Entrance loggia, 6 feet by 59 feet. Kitchen, 14 feet by 24 feet. Pantry, 7 feet by 13½ feet. Storeroom, 7 feet by 10 feet. Powder room, 8 feet by 13 feet. Private dining room, 18 feet by 23 feet. Vestibule, 9½ by 9½ feet. Another foyer, 10 feet by 22 feet. Passageway, 8 feet by 22 feet. Entrance loggia, 9½ feet by 41 feet. Porte cochère, 15 feet by 15 feet. Women's checkroom, 10 feet by 23 feet. Two anterooms, 10 feet by 11 feet each. Men's checkroom, 8 feet by 22 feet. Porter's room, 12 feet by 22 feet. Anteroom, 7 feet by 13 feet. Men's checkroom, 9 feet by 13 feet. Five toilet rooms, seating capacity 20. First floor has 37 rooms, loggias, foyers, and so forth, but not including office space.

Now, we shall take the mezzanine floor. There is another library also on the mezzanine floor. They have one on the first floor 32 by 30, and then one on the mezzanine floor 12 by 22. In all there are 20 rooms, loggias, foyers, and so forth, on the mezzanine floor. On the second floor they have 12 bedrooms, several bathrooms, a sitting room 20 by 30, a trunk storage room, and what not. There are 19 rooms, halls, and so forth on the second floor. Altogether there are 86 rooms, halls, and loggias in this palace that we are building at a cost of \$500,000 on this 17 acres of land. Then think what it will cost to go down through 45 feet of fill to the bottom of Manila Bay, and then down beyond that for the foundations of this building that we are constructing. It is an outrage.

Mr. STEFAN. Mr. Chairman, will the gentleman yield?

Mr. ENGEL. Yes.

Mr. STEFAN. The gentleman remembers that I appeared before his committee nearly every year for the past 3 years, protesting against the useless expenditure of the taxpayers' money in the Philippine Islands. The gentleman will also recall that I called the attention of his committee to the useless expenditure of nonmilitary appropriations in the islands; also I called the attention of the committee to useless expenditure of \$15,000,000 in the Philippine Islands and wondered why the gentleman's committee has not seen fit to reduce expenditures as I have suggested so many times, not only in the gentleman's committee but on the floor of the House, calling attention of the Members to the very same thing which the gentleman is pointing out today.

Mr. ENGEL. I am not presuming to talk for the committee, but I say the time has come when we ought to pull out of the Philippine Islands. I say that it is ridiculous and absurd to increase our Navy by a billion two hundred million

dollars just because the Philippine Islands want us to protect them. We got a lemon in the first place, and we have it now, and we will have it as long as we have control of the Philippine Islands.

Mr. TREADWAY. Mr. Chairman, will the gentleman yield?

Mr. ENGEL. Yes.

Mr. TREADWAY. Did the gentleman give us any figures as to the final cost of this elaborate home of the High Commissioner?

Mr. ENGEL. The estimate is \$500,000. They have to go down through that 45-foot fill to what was the bottom of Manila Bay and sink the foundations for this building below that, and that and the palace will cost a great deal more than \$500,000. When they get through furnishing these palaces, the cost will be increased still more. Then will come the tremendous cost of maintaining the building after it is finished.

Mr. TREADWAY. How much longer are we supposed to have any control over the Philippines?

Mr. ENGEL. Mr. McNutt, as I understood him, wants us to keep the Philippines.

Mr. TREADWAY. What does the present law provide?

Mr. ENGEL. Eight years from now.

Mr. TREADWAY. And how long will it take to build this wonderful residence?

Mr. ENGEL. I do not know, but I should say a couple of years.

Mr. TREADWAY. Then it will not be to exceed 5 years that the Commissioner would occupy it.

Mr. ENGEL. But they are going to keep him there as Ambassador. Mr. McNutt, who is the High Commissioner, as I understand it, wants to be President of the United States, and, if he should be elected, I am afraid that the first thing that he will want to do will be to tear down the White House because it is too small, because if he needs a building that is 33 feet wider and 65 feet longer than the White House as Lord High Commissioner of the Philippines, the White House will be too small for him when he gets in there as President—if he ever does.

Mr. TREADWAY. I happened to have been one of the party that went to the Philippine Islands 2 years ago, and it was astonishing to me that our Government ever agreed to give up the home of the then Resident Commissioner and turn it over to the Filipinos. It was a fine big residence, as all you gentlemen know who were on that trip. And whoever is running this and wants these appropriations is asking the Government to build something they need not have the expense of, if they had retained the beautiful palace that belonged to this Government at that time.

Mr. ENGEL. Oh, I do not quite agree with the gentleman about giving the palace away for nothing. We got 17 acres of Manila Bay and 38 feet of water for the palace.

Mr. TREADWAY. And what kind of a trade would the gentleman from Michigan call that—salt water for a high-grade house?

Mr. ENGEL. Well, we are getting water for it.

Mr. TREADWAY. We got water in front and water behind.

Mr. LORD. The gentleman has neglected to state that they also got a palace at Baguio.

Mr. ENGEL. I am coming to that. So much for the palace in Manila Bay. They are not satisfied with this palace of 86 rooms and loggias and halls and what not. But let me insert here the list of rooms in the Manila palace:

DESCRIPTION OF ROOMS AND SPACE OF THE PALACE BEING BUILT FOR THE LORD HIGH COMMISSIONER OF THE PHILIPPINES AT MANILA

First floor: Ballroom—Dance floor, 40 feet by 65 feet, two stories high; two alcoves or lounges, 9½ feet by 65 feet each; reception hall, 13 feet by 62 feet; library, 22 feet by 30 feet, two stories high; banquet hall, 22 feet by 40 feet, two stories high; study, 14 feet by 13 feet; two foyers, 12 feet by 22 feet each; two loggias, 9½ feet by 44 feet each; entrance lobby, 15 feet by 62 feet; entrance loggia, 6 feet by 59 feet; kitchen, 14 feet by 24 feet; pantry, 7 feet by 13½ feet; storeroom, 7 feet by 10 feet; powder room, 8 feet by 13 feet; private dining room, 18 feet by 23 feet; vestibule,

9½ feet by 9½ feet; another foyer, 10 feet by 22 feet; passageway, 8 feet by 22 feet; entrance loggia, 9½ feet by 41 feet; porte cochère, 15 feet by 15 feet; women's checkroom, 10 feet by 23 feet; two anterooms, 10 feet by 11 feet each; men's checkroom, 8 feet by 22 feet; porter's room, 12 feet by 22 feet; anteroom, 7 feet by 13 feet; men's checkroom, 9 feet by 13 feet; 5 toilets, seating capacity, 20. First floor has 37 rooms, loggias, foyers, etc., not including office space.

Mezzanine floor: Another library, 12 feet by 22 feet; 2 bedrooms, 14 feet by 14 feet; 1 bedroom, 12 feet by 14 feet; 1 bedroom, 10 feet by 14 feet; storage room, 14 feet by 16 feet; storage room, 10 feet by 14 feet; storage room, 14 feet by 18 feet; passage, 8 feet by 22 feet; loggia, 20 feet by 22 feet; 2 loggias, 9½ feet by 65 feet; 2 loggias, 9½ feet by 44 feet; 1 loggia, 8 feet by 62 feet; foyer, 12 feet by 22 feet; 4 toilets, seating capacity of 12; 2 toilets, seating capacity not given; 20 rooms, loggias, foyers, passageways, etc., on this floor.

Second floor: 3 bedrooms, 15 feet by 22 feet; 3 bedrooms, 12 feet by 16 feet; 1 bedroom, 12 feet by 17 feet; 2 bathrooms, 6 feet by 8 feet; 3 bathrooms, 7 feet by 8 feet; bedroom, 15 feet by 22 feet; bath, 9 feet by 13 feet; dressing room, 9 feet by 13 feet; sitting room, 20 feet by 30 feet; hall, 5 feet by 35 feet; trunk storage, 9 feet by 12 feet; loggia, 5 feet by 15 feet. The second floor has 19 rooms, halls, loggias, etc. This floor has 7 baths or toilet rooms, seating capacity not given.

COMPARISON BETWEEN THE WHITE HOUSE AND HIGH COMMISSIONER'S PALACE

The palace is actually 263 feet long by 183 feet wide, taking in all wings, but taking Treasury Department's figures, it is 203 feet long, or 33 feet longer than the White House and 134 feet wide, or 49 feet wider than the White House; the White House being according to the figures furnished by the Congressional Library, 170 feet long and 85 feet wide.

The White House has 18 acres of ground, the palace 17.26 acres. This palace covers, over all, nearly an acre of ground.

This palace has a total of 18 toilets or bathrooms with seating capacity of approximately 43. It has 19 lounges, loggias, lobbies, foyers, etc., which are from 9½ feet to 13 feet wide and are in the aggregate 825 feet long—86 rooms, halls, etc.

They are not satisfied with this new palace out there.

Mr. TERRY. Mr. Chairman, will the gentleman yield?

Mr. ENGEL. I yield.

Mr. TERRY. While the gentleman is making this interesting statement I wish he would convey the information to the committee that the item of this building and the home of the High Commissioner in the Philippines is not a matter that comes before this subcommittee; and this subcommittee had nothing whatever to do with the question of buildings, or of building this palace or this residence.

Mr. ENGEL. As I understand the facts—and I was not a member of the committee at the time—this item was added by the Senate. That is correct is it not?

Mr. TERRY. But it did not originate with this subcommittee.

Mr. ENGEL. No; it was added on to a deficiency bill, was it not?

Mr. TERRY. It was added to a deficiency bill.

Mr. ENGEL. It came from the Senate and was passed here without any hearings.

Mr. TERRY. Mr. Chairman, will the gentleman yield further?

Mr. ENGEL. I yield.

Mr. TERRY. I just want the gentleman to tell us whether or not the matter that we are discussing now comes under this bill at all.

Mr. ENGEL. The Philippine government comes under the bill, and this is general debate.

Mr. TERRY. But this palace as the gentleman calls it that is being built over there is not a matter with which this committee has anything whatever to do; we were not called upon in regard to it at all.

Mr. ENGEL. It comes under the Insular Bureau of the War Department, which would be a part of the War Department appropriation bill and come before our committee; but this particular item was added on to a deficiency bill.

Mr. TERRY. And this committee had nothing to do with it.

Mr. ENGEL. Not with that item as the deficiency bill comes before a different subcommittee but the same full committee.

Mr. STEFAN. Mr. Chairman, will the gentleman yield?

Mr. ENGEL. I yield.

Mr. STEFAN. It is a fact that the bill we are now discussing and debating contains appropriations for the non-military activities of the Philippines, including the expenses of the High Commissioner of the Philippines which are higher than the expenses of the Ambassador to England.

Mr. ENGEL. There is no question about it.

Mr. HOOK. Mr. Chairman, will the gentleman yield?

Mr. ENGEL. I yield.

Mr. HOOK. Was it not a Republican administration that wished the Philippine Islands on us?

Mr. ENGEL. A Republican administration won the Spanish-American War, but it was a Democratic administration that passed the Tydings-McDuffie Act and gave away this palace, and it is the present Democratic administration that is building these two palaces now for the High Commissioner.

Mr. TREADWAY. Mr. Chairman, will the gentleman yield?

Mr. ENGEL. I yield.

Mr. TREADWAY. Regardless of the merits of the controversy as to which committee is responsible for this item, the expense that is proposed comes upon the taxpayers of the country, does it not?

Mr. ENGEL. Yes.

Mr. MICHENER. Mr. Chairman, will the gentleman yield?

Mr. ENGEL. I yield.

Mr. MICHENER. Should not the gentleman be a little more considerate, inasmuch as this building, this palace, the selection of the site was made by a Democratic High Commissioner who is now the Governor of Michigan?

Mr. ENGEL. The selection of the site was recommended by the present Governor of Michigan, but I do not know who recommended the palace. The plans were revised later.

Mr. TERRY. Mr. Chairman, will the gentleman yield?

Mr. ENGEL. I yield.

Mr. TERRY. Is it not a fact that the Government of the United States did not own the residence that was formerly occupied by the Governor General of the Philippines?

Mr. ENGEL. I do not know about that. I understood that we owned it, that we received it from the Spanish Government. I may be mistaken about that, however.

Mr. TERRY. Has it not always been a fact that the expenses of the High Commissioner are less than the expenses of the Governor General under the Republican administration?

Mr. ENGEL. I do not think the Governor General ever paid any \$15,000 a year rent.

Mr. GIFFORD. Mr. Chairman, will the gentleman yield?

Mr. ENGEL. I yield.

Mr. GIFFORD. The gentleman will agree, will he not, that this will give an excellent yardstick for other embassies?

Mr. ENGEL. I agree.

Mr. RABAUT. Mr. Chairman, will the gentleman yield?

Mr. ENGEL. I yield.

Mr. RABAUT. The gentleman is greatly excited over something that does not appear to be connected with this particular bill. I really would suggest that if the people in that hot territory get as excited over the thing as he is getting here there might be some real need for those 40 sit-downs. Now, the Malacana Palace did not belong to the American Government at any time.

Mr. ENGEL. Does the gentleman justify the taking of it?

Mr. RABAUT. The gentleman ought to be sincere about it. The Malacana Palace never did belong to the American Government.

Mr. ENGEL. To whom did it belong?

Mr. RABAUT. It belonged to the Filipinos. The Filipinos have always owned it and lived in it. It was turned over during the first part of the time we had a Commissioner there. When we changed the office from that of Governor General to High Commissioner the palace was turned back to the Filipinos, and President Quezon took up residence in it. The Governor General went to live in some club and was criticized for it.

Now, the gentleman talks as though Governor Murphy is to blame for it. He has left the Philippines. There is

nothing at the bottom of this but cold politics, and the gentleman is bringing it out here and spreading it all over the House.

Mr. ENGEL. Politics nothing!

[Here the gavel fell.]

Mr. ENGEL. Mr. Chairman, I yield myself 10 additional minutes.

Mr. Chairman, as far as politics is concerned, you can call it anything you want to; the fact remains that Governor Murphy is responsible for making 17 acres of land in Manila Bay where there was 38 feet of water and for the building of the sea wall. He selected it. The Secretary of War says so. Mr. McNutt says so. Mr. McNutt put the bee right on Murphy.

Mr. RABAUT and Mr. KITCHENS rose.

Mr. ENGEL. Mr. Chairman, I do not yield further.

I do not see how anybody here can justify the building of an 86-room palace covering an acre of ground. Of course, you on that side do not like it.

Mr. RABAUT. Will the gentleman yield?

Mr. ENGEL. I do not yield any further. Of course, you do not like it. You cannot take it, and neither can Governor Murphy take it.

Mr. RABAUT. You are not stating it correctly.

Mr. ENGEL. If you can justify the building of a palace of that kind in this day and age with people going hungry, with 13,000,000 people unemployed, a palace larger than the White House, containing 86 rooms with a ballroom floor 40 by 65, with 825 feet of loggias and what not, I say you are a better Democrat than I think you are.

I want to discuss the second palace. I have referred to only one of them so far. That was just one palace. They are building another one up in the hills.

Now I want to tell you about this second palace. I do not know of anything you Democrats can say to justify this thing. I have already told you about the first palace and its land.

The second palace is 134 feet long and 64 feet wide, just a small one. It is only 36 feet shorter than the White House and about 24 feet narrower than the White House. It is a small place compared to the first palace. It only has 43 rooms, hallways, passageways, and so forth. It has a reception room 38 feet long and 25 feet wide. It has a dining room 21 feet by 29 feet. It has a kitchen, pantry, and powder room. As a matter of fact, they have a powder room in both of these palaces. You would think you were going to some ancient palace in Europe. This, however, is a face powder, not a gunpowder room. They have a sitting room 21 by 25 on the second floor. Here is one bedroom 31 by 19 and another one 21 by 12. Altogether they have 43 rooms in this second palace up in the hills.

Mr. KNUTSON. Will the gentleman yield?

Mr. ENGEL. I yield to the gentleman from Minnesota.

Mr. KNUTSON. What is the seating capacity in this second palace?

Mr. ENGEL. The seating capacity is unknown.

Mr. HOUSTON. Will the gentleman yield for a brief observation?

Mr. ENGEL. The gentleman may take time on his side. I have been very liberal in yielding, and I want to finish.

The following gives a description of the rooms, and so forth, of the second palace, excluding rooms used for office space:

DESCRIPTION OF THE SUMMER PALACE IN THE MOUNTAINS AT BAGUIO

Dimensions are 134 feet long and 64 feet wide. White House dimensions are 170 feet long and 85 feet wide. The palace has 43 various rooms, hallways, passageways, including 10 toilets or bathrooms; seating capacity unknown.

First floor: Reception hall, 38 by 25 feet; dining room, 21 by 29 feet; kitchen, 16 by 21 feet; pantry, 8 by 21 feet; powder room, 10½ by 15 feet; library, 21 feet 6 inches by 25 feet; loggia, 6 by 63 feet; storage, 8 by 19 feet; hall, 8 by 25 feet; hall, 8 by 5½ feet; 3 bedrooms, 10 by 11.6 feet.

Second floor: sitting room, 21 by 25 feet; 3 bedrooms, 16 by 13 feet; 1 bedroom, 15 by 13 feet, 1 bedroom, 21 by 12.6 feet; dressing room, 8 by 10½ feet; bedroom, 31 by 19 feet; dressing room, 8 by 16 feet; bedroom, 21 by 12 feet; bedroom, 16 by 11.6 feet; hall, 11 by 19 feet; storage room, 25 by 16 feet; pantry, 7½ by 10½ feet (second floor); linen closet, 4½ by 9 feet; porch, 10 by 41 feet and 10 by 75 feet.

The cost of the summer palace is \$250,000.

May I say, in all seriousness, Governor Murphy was responsible for selecting the site; he was responsible for recommending it, according to both the War Department and the Secretary of War.

Mr. Chairman, it is an outrage and a shame to go out there and build these palaces in the Philippine Islands with the money of the taxpayers of this country. I repeat, it is an outrage and a shame in this day and age, when we are running behind billions of dollars. As a matter of fact, we should get out of the Philippine Islands. A statement was made in the paper with reference to the money we are asked to pay for rent over there. Mr. McNutt wants to pay \$15,000 a year rent for a palace. Let me tell you what he said about that palace when I tried to get some information. I am speaking now of the palace he wants to rent pending the construction of the new palace over there. He was asked, "How much is that per year?" Mr. McNutt said that \$15,000 a year is a reasonable rent over there. Mr. TERRY asked him, "How many rooms will it have?" Mr. McNutt, the High Commissioner of the Philippines, who wants us to pay \$15,000 rent, answered the question.

Did he tell us how many rooms? Did he say anything about the size? No. His answer was, "I have not seen the layout." Now, beat that if you can. He is asking this Congress to appropriate \$15,000 a year to pay rent for that palace that he wants to use pending the building of the new one, yet he has not seen it and cannot even tell us the number of rooms.

That palace that he wants us to rent is worth, so he says, 275,000 pesos, about \$138,000 American money. That would be giving them about 11 percent gross on their investment if the palace is worth the money Mr. McNutt says it is worth, which is a mighty good return on the investment.

Mr. MASSINGALE. Mr. Chairman, will the gentleman yield?

Mr. ENGEL. I yield to the gentleman from Oklahoma.

Mr. MASSINGALE. I am very much interested in the gentleman's description of the palaces. I should like the gentleman to inform the House, if he can, inasmuch as he has stated that one of these palaces has 49 so-called "sit-downs" whether Chick Sale was one of the architects of the building.

Mr. ENGEL. I may say to the gentleman I do not believe that in view of the price the High Commissioner is asking us to pay as rent that he is going to use any Sears-Roebuck catalogs and it is not any "two and a half holer," according to Chick Sale's specifications.

Mr. Chairman, I ask unanimous consent to revise and extend my remarks in the RECORD and include therein certain tables compiled by myself.

The CHAIRMAN. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. POWERS. Mr. Chairman, I yield 30 minutes to the gentleman from Illinois [Mr. CHURCH].

Mr. CHURCH. Mr. Chairman, I think every Member of this House would consider it too preposterous to be true if I were simply to say that one of our bureaucratic Government officials has been deliberately endeavoring to promote, through his official position, the private interests of a lawyer engaged in private practice here in Washington. That was my reaction when I was advised a few days ago that a million or more letters had been sent out by the Home Owners' Loan Corporation to lawyers and individual citizens who made loans with the Corporation to impress them with the ability of a Washington attorney. I dismissed the story as mere rumor. I simply could not believe that anyone would be guilty of such unethical practice. It is a violation of the canons of legal ethics for any lawyer to advertise. It is certainly a violation of every rule of good government and common decency for any official to use his position to advertise the services of a member of the bar.

But, Mr. Chairman, I find that it was not rumor but a fact: Mr. Horace Russell, general counsel of the Home Owners' Loan Corporation, has sent out such letters adver-

tising the legal services of Judge O. B. Taylor, who recently resigned as associate general counsel of that Corporation. I have just received a number of these letters from persons to whom these "advertisements" were addressed.

Permit me to read this letter, several of which I hold here in my hand. I hope I may have your undivided attention in noting carefully the language of this letter:

HOME OWNERS' LOAN CORPORATION,
OFFICE OF HORACE RUSSELL, GENERAL COUNSEL,
Washington, April 11, 1938.

MY DEAR FRIEND: I wrote you many months ago of the resignation and return to private practice of Mr. W. T. Stockton, associate general counsel in charge of the Home Owners' Loan Corporation legal staff. It is with much regret that I must now announce the resignation of Judge O. B. Taylor, associate general counsel in charge, to engage in the private practice of the law in Washington, D. C. He will engage in practice before the bureaus, commissions, and Departments of the Government, as well as in the courts. We deeply regret losing one who has made such a major contribution to the success of our legal department.

Judge Taylor is a lawyer of great ability and a man of the utmost tact and possessed of a great capacity for accomplishment. Having participated in the direction of this staff these several years in Washington, he has gained an intimate knowledge of the United States Government, its Departments, agencies, and bureaus. As a result, his success in private practice in Washington is assured. I am sure that many of us will be interested to turn to him for assistance and advice in his capacity as a private lawyer.

It is encouraging, as responsible members of our staff resign for more lucrative private practice, to find them succeeding throughout the country. The Washington staff of Home Owners' Loan Corporation will function as heretofore under the three divisions, with three associate general counsel, and with the employees of Judge Taylor's office attached to my office.

Very truly yours,

HORACE RUSSELL, General Counsel.

P. S.—Judge Taylor's address is the Investment Building, Washington, D. C.

Mr. KITCHENS. Mr. Chairman, will the gentleman yield?
Mr. CHURCH. I should like to finish my statement, if I may.

Mr. KITCHENS. I would like to know to whom that letter was addressed.

Mr. CHURCH. I will answer that in a moment. I have a number of these letters here.

You will note that this letter is written on the letterhead of the Home Owners' Loan Corporation from the "office of Horace Russell, general counsel," and that it bears the signature of "Horace Russell." Insofar as the appearance of the letter is concerned, it is an "official communication" from the United States Government.

Mr. SADOWSKI. Was it sent under the frank also?

Mr. CHURCH. Yes; with the notice regarding the penalty of \$300 printed on the envelope.

Mr. HOOK. Mr. Chairman, will the gentleman yield?

Mr. CHURCH. I shall be pleased to yield a little later, in order that my remarks will have a continuity.

I call your special attention to the fact that great care is taken to emphasize the fact that Judge O. B. Taylor, formerly associate general counsel of the Home Owners' Loan Corporation, "will engage in practice before the bureaus, commissions, and Departments of the Government." It goes on to say, "Judge Taylor is a lawyer of great ability and a man of utmost tact and possessed of a great capacity for accomplishment."

Mr. Chairman, does that phrase "great capacity for accomplishment" mean to imply that he can, because of his previous associations, contacts, and friends, accomplish much more than some other attorney? Does not that language leave the impression with the party who receives the letter that it would be well for him to give his H. O. L. C. business to Judge Taylor? He has "great capacity for accomplishment." He has the "in," so to speak.

And, Mr. Chairman, listen to this sentence: "I am sure that many of us will be interested to turn to him for assistance and advice in his capacity as a private lawyer." Does that mean that the Corporation itself will have occasion to "turn to him for assistance and advice"? The letter states: "Many of us will be interested to turn to him." "Many of us," Mr. Chairman.

Not to be overlooked is the all-important postscript of this letter. It reads:

Judge Taylor's address is the Investment Building, Washington, D. C.

In other words, the reader is not only advised of Judge Taylor's previous services with the Corporation, he is not only advised of his "great capacity for accomplishment," but it was made certain that everyone knows where he can be contacted.

Considering the tone of this letter and the fact that it was written on official stationery, I do not think I would do any injustice to Judge Taylor and Mr. Russell if I were to say that it appears the firm of Taylor & Russell has been established with offices in the Investment Building and the Home Owners' Loan Corporation. It amounts to a public announcement to that effect. As to the manner of distribution of the partnership fees, I am not advised.

As scandalous and disgraceful as this letter is, in which the Home Owners' Loan Corporation solicits the legal business of millions of home owners and lawyers for an individual lawyer, I wish to point out that every one of these letters was sent out under the frank of the Corporation as official business. I have here in my hand a number of the envelopes. I call your attention to one of them. It shows:

Home Owners' Loan Corporation, Washington, D. C. Official business.

Penalty for private use to avoid payment of postage, \$300.

Mr. Allen Gurney Mills, attorney at law, 53 West Jackson Boulevard, Chicago, Ill.

Mr. WIGGLESWORTH. Mr. Chairman, will the gentleman yield?

Mr. CHURCH. Briefly.

Mr. WIGGLESWORTH. I am very much interested in what the gentleman from Illinois is saying because I, too, this morning received through the mails from a constituent the identical letter to which the gentleman is referring, which my constituent states came to him as Government printed matter and as franked mail. My constituent went on to state that he was enclosing the envelope in which the communication came to him, whereon is printed "Penalty for private use to avoid payment of postage, \$300." He stated that it seemed to him very much like private use, and suggested that, perhaps, Mr. Russell might like to pay \$300 to the Government for the private use he has made of the mails.

Mr. CHURCH. I may say to the gentleman from Massachusetts that that is the same letter of which I am speaking. Many Members of the House have today called my attention to the fact that in Michigan, Massachusetts, and many other States people have received this letter from Horace Russell dated April 11. In Chicago they were receiving it on the 13th and 14th, as these postmarked envelopes indicate.

Mr. COCHRAN. Mr. Chairman, will the gentleman yield?

Mr. CHURCH. I will yield in just a minute.

Think of it, Mr. Chairman, a letter of this kind being sent out by one of our officials as official business, with the postage being paid for by the taxpayers. The taxpayers paid for the paper, and no doubt they paid for the printing and addressing, and they paid the postage for this advertisement. Doubtless millions of these letters were sent out all over the United States. It is clearly a violation of the franking law, for each violation of which there is a penalty of \$300. It thus becomes the duty of the Postmaster General and the Attorney General to prosecute for each and every violation. It becomes their duty to collect the penalty for each of the millions of letters distributed.

Permit me to read to you just a few extracts from one of the letters from a party who received one of these communications. His statement is merely a sample of the reaction of the attorneys and others who received this "official advertisement":

I think this is one of the most disgraceful and unjustifiable efforts on the part of a representative of the administration to promote the private interests of an individual at the taxpayer's

expense. The letter also seems to me to be a flagrant violation of one of the canons of the American Bar Association covering the unethical practice of advertising by members of the bar.

It makes a taxpayer's blood boil to receive letters of this kind, which the taxpayer himself must pay for.

Mr. Chairman, my constituent is correct. This is disgraceful. It is scandalous. It is bureaucracy at its worst. It is nothing more than using the Government for private gain. It violates our laws and it violates the ethics of the legal profession. It is personal advertisement at the taxpayer's expense. It is a disgraceful personal advertisement at the expense of the millions of poor H. O. L. C. applicants who are losing their homes. I cannot tolerate this practice.

Mr. Chairman, a congressional investigation is unnecessary. We have the facts. I call for the dismissal of Mr. Horace Russell immediately, and I call upon the Postmaster General and Attorney General to prosecute immediately for the violations of our postal laws. It is the duty of Congress to stop these vicious bureaucratic practices. This is merely one of them.

It is the duty of every Member of this Congress to call this sort of thing to the attention of the Attorney General and to the public, in order that the pressure of public opinion may bring an end to such practices as this.

I am told that Mr. Horace Russell is president of the Federal Bar Association. This is indeed a peculiar situation where the head of an association which should advance legal ethics himself engages in an unethical practice such as this.

Now I yield to the gentleman from Michigan.

Mr. HOOK. I agree with the gentleman that this thing is absolutely wrong. I should like to call the attention of the gentleman to the fact that the Chairman of the Home Owners' Loan Corporation should be responsible and should look after such things. The Chairman of the Home Owners' Loan Corporation was one of the campaign managers for Hoover when he ran for President. I am just wondering whether some of the Republican chicanery has gone down into that organization.

Mr. CHURCH. This is not a political matter, and I do not wish to discuss politics. But I want to say to the gentleman that if he uses that argument to justify this thing, it is indeed a poor one.

Mr. HOOK. It is my thought that if we Democrats were at the head of such organizations we would not have such conditions.

Mr. MICHENER. Mr. Chairman, will the gentleman yield?

Mr. CHURCH. I yield to the gentleman from Michigan.

Mr. MICHENER. May I suggest for the benefit of my colleague from Michigan [Mr. Hook] that conditions similar to those complained of by the gentleman from Illinois were so bad after the World War that the Congress passed an act, which is the law today, making it unlawful for any person connected with the Government to engage in practice before the Departments or against the Government until the expiration of 2 years after they had severed their connections with the Government. If what the gentleman from Illinois has stated is happening, it must be because the Home Owners' Loan Corporation is a Federal corporation and not a bureau, so that this may be done without violating the particular statute to which I have referred. As I understand it, Colonel Taylor was an attorney in Home Owners' Loan Corporation and should be limited by the 2-year provision of this law.

In 1921 it was a common thing for those leaving the Government—and I am not talking about politics, because some of the best men in the country were included, and some of them are here today—to send out letters that they had been connected with the Government, that they knew about particular contracts, that they were in a better position to effect settlements with the Government than one not connected with the Government, and in this manner solicited business.

There are printed hearings in which this is all a matter of record. If Mr. Fahey was appointed by Mr. Hoover, and

if Mr. Roosevelt has retained him as Chairman of the Board, that has nothing to do with the complaint of the gentleman from Illinois about the conduct of Mr. Russell. If the gentleman from Michigan [Mr. Hook] could find it possible to consider the facts and forget that he is a partisan new dealer for a minute, he might appreciate such reprehensible conduct on the part of any representative of the Government or any of its agencies.

Mr. CHURCH. I thank the gentleman for his contribution.

Mr. SADOWSKI. Mr. Chairman, will the gentleman yield?

Mr. CHURCH. I yield to the gentleman from Michigan.

Mr. SADOWSKI. I just want to say that I agree with the gentleman 100 percent, and as a Democrat I want to join with the gentleman in protesting this kind of action on the part of any Government official. They have no right to do this, and it is absolutely wrong; and whether it is a Democratic or a Republican administration it should not be tolerated.

Mr. CHURCH. Mr. Chairman, there is no secret about the number of letters that have come to me. I have a few of them here, and I hope that the lawyers and the applicants for H. O. L. C. loans all over the United States will not be afraid to advise us so that we may know exactly as to the number of letters that have been distributed.

Here is one of these envelopes. I have one here addressed to G. E. Dierson, attorney at law, room 612, South Dearborn Street, Chicago, Ill. I quoted this one from Mr. Mills in my first statement. I have another one from Mr. Stanley G. Armstrong, attorney at law, 201 North Wells Street, Chicago, Ill., and another one addressed to Mr. James M. Gillespie, attorney at law, 29 South LaSalle Street, Chicago, Ill. I could quote from a number of others, but I do not have them here handy. I call upon the Attorney General and call upon the Postmaster General to go into this matter. We must stop this vicious conduct, as well as the growth of bureaucracy in which it thrives. This is just one small illustration of what is going on.

Mr. HAINES. Mr. Chairman, will the gentleman yield?

Mr. CHURCH. Yes; I yield to the gentleman from Pennsylvania.

Mr. HAINES. I want to compliment the gentleman for bringing this to the attention of the House. I think the gentleman is doing the country a good service in bringing it to our attention. Did the gentleman say there were about 1,000,000 of these letters sent out?

Mr. CHURCH. I was informed just the other day to that effect. I did not believe it. Was the gentleman on the floor when I started my statement?

Mr. HAINES. Yes.

Mr. CHURCH. I did not believe it—I could not believe it. I passed it off and forgot about it, but then these letters were received by me, as I have explained, and then I believed it.

Mr. HAINES. Did these letters go only to lawyers?

Mr. CHURCH. Those I have here went to lawyers, but I understand that other letters were received by H. O. L. C. applicants. I have been informed that there are a number of persons who do not want to disclose the fact that they received these letters. I understand that lawyers and applicants for H. O. L. C. loans from all over the United States have received these letters. I believe that my informant was correct in stating that over 1,000,000 of these letters were sent out soliciting business for Judge Taylor.

Mr. HAINES. Does the gentleman infer from that letter that the gentleman who has just left the Department, Judge Taylor, could be of assistance in obtaining relief on the part of distressed home owners?

Mr. CHURCH. The best way I can answer the gentleman from Pennsylvania is to say that Mr. Russell emphasizes in his letter that Judge Taylor is a lawyer of great ability and a man of the utmost tact.

You know tact is a very valuable thing around the Government bureaus. The letter further says that he is possessed of great capacity for accomplishment, and another paragraph says that the Washington staff of the Home Owners' Loan

Corporation will function as heretofore under the three divisions of the three associate general counsel, with the employees of Judge Taylor's office attached to "my office." Moreover, the letter says that Judge Taylor has gained an intimate knowledge of the United States Government. You draw your own conclusions.

Mr. HAINES. The gentleman himself is a distinguished lawyer, and I am just wondering how much the gentleman would pay for that sort of an advertisement going out through the Nation.

Mr. CHURCH. I want in my humble way to show what the members of the bar in my State where I practice think of this kind of activity by a Government official.

Mr. WIGGLESWORTH. Mr. Chairman, will the gentleman yield?

Mr. CHURCH. Yes; I yield to the gentleman from Massachusetts.

Mr. WIGGLESWORTH. Just to keep the record straight, it is my impression that the gentleman from Michigan [Mr. Hook] is in error. The present Chairman of the H. O. L. C. Board, Mr. Fahey, a distinguished citizen of Massachusetts, so far as I know, has been a lifelong Democrat.

Mr. BACON. Mr. Chairman, will the gentleman yield?

Mr. CHURCH. Yes; I yield to the gentleman from New York.

Mr. BACON. Do I understand that this law firm has been advertised under Government frank?

Mr. CHURCH. I show the gentleman these franked envelopes, one of which I am placing in the RECORD. On the envelope is notice to the user that he is liable to a \$300 penalty for every one of these envelopes that he places in the mail for a private purpose—and advertising the private practice of Judge Taylor is a private purpose.

Mr. BACON. The frank itself says that for private use to avoid the payment of postage there is a fine of \$300. It seems to me that the gentleman ought to bring these facts to the attention of the Attorney General; because if the Attorney General does his duty, he will prosecute this case.

Mr. CHURCH. I have been requested by a number of Members to make this statement and to send these records to the Attorney General and to the Postmaster General. I am glad to be assured of the cooperation of those on the Democratic side in this matter. I shall endeavor to see that this is not only stopped but that all parties guilty of such conduct are prosecuted.

If there are no more questions, I shall ask leave to include in my remarks some of the letters I have received. They show how our people react to this kind of action.

DEAR RALPH: This letter prepared and sent at Government expense doesn't just sit right with me. How about you?
Regards.

SID STEIN.

CHICAGO, April 16, 1938.

HON. RALPH E. CHURCH,

House of Representatives, Washington, D. C.

DEAR MR. CHURCH: I have, this morning, received and am enclosing herewith a letter, dated April 11, 1938, from Horace Russell, of Washington, D. C., general counsel for the Home Owners' Loan Corporation. I am also enclosing the envelope in which the letter was received, which shows the letter was sent out as an official communication without postage and at the expense of the taxpayer. The printing bill was also incurred at the expense of the taxpayer.

I think this is one of the most disgraceful and unjustifiable efforts on the part of a representative of the administration to promote the private interests of an individual at the taxpayer's expense. The letter also seems to me to be a flagrant violation of one of the canons of the American Bar Association covering the unethical practice of advertising by members of the bar.

It makes a taxpayer's blood boil to receive letters of this kind which the taxpayer himself must pay for. No doubt there are many other similar flagrant violations of conduct comporting with the rules of common decency, and the number of such violations may have been so great that the conscience of the representatives of the people in Congress may have become seared.

My residence is 790 Sheridan Road, Glenview, Ill., which is in your district.

Yours very truly,

ALLEN G. MILLS.

P. S.—I presume the enclosed letter has been sent out to the members of the bar throughout the country.

CHICAGO, April 16, 1938.

HON. RALPH E. CHURCH,

House of Representatives, Washington, D. C.

DEAR RALPH: This morning I received the letter which I am enclosing in the envelope in which it came, which I take to be an announcement of the return to private practice of one of the employees of the H. O. L. C.

I thought you might be interested in knowing that they are evidently using Government mails under their frank for the purpose of making private announcements.

I congratulate you on your renomination and assure you that I shall do everything that I can between now and November to return you to the post, the duties of which you have so ably performed.

Yours very truly,

JAMES M. GILLESPIE.

CHICAGO, April 16, 1938.

HON. RALPH E. CHURCH,

House of Representatives, Washington, D. C.

DEAR RALPH: It seems hardly necessary to congratulate you on your victory of last Tuesday, as we well knew that the people of our district fully appreciate the splendid work you are doing, and thus the vote you received is wholly a vote of confidence. We rejoice that our people rightfully have that confidence in you. We are sure that we will now go on to a glorious victory in November.

Now, Ralph, while considering ways and means of raising funds to conduct our Government, may we suggest that you devise a way of compelling Mr. Horace Russell and Judge O. B. Taylor to pay the penalty provided for the use of the franking privilege to avoid the payment of postage.

As proof, we are enclosing a letter received this morning from Mr. Russell in a franked envelope, and being nothing but an advertisement for business for Judge Taylor.

If this letter has gone to all the members of the bar in the country, the penalty should just about pay off the national debt.

Yours truly,

STANLEY C. ARMSTRONG.

Mr. TERRY. Mr. Chairman, I yield 2 minutes to the gentleman from Missouri [Mr. COCHRAN].

Mr. DIRKSEN. Mr. Chairman, I yield the gentleman from Missouri 5 minutes.

Mr. COCHRAN. Mr. Chairman, as chairman of the Committee on Expenditures, I have repeatedly stated on the floor of the House that the committee would welcome any evidence where any Member of the House or any individual could show that Government officials were not conducting themselves properly. Further, that whenever that evidence was presented the committee would be glad to make an investigation if the facts warranted it.

It so happens the Committee on Expenditures in this particular instance is just a few days ahead of the gentleman from Illinois [Mr. CHURCH]. I do not think there is a Member of the House who condones the offense. I for one do not, and as chairman of that committee I have already taken this matter up with the Chairman of the Home Owners' Loan Corporation and my communication to him was not sent to the office of the Home Owners' Loan Corporation but sent to his hotel, so that I would be sure he would receive it. I sent him a copy of a letter similar to the one that the gentleman has just read, and I am going to get an answer from the Chairman of the Home Owners' Loan Corporation and if that answer is not satisfactory I can assure the Members of the House that the official of the Home Owners' Loan Corporation responsible for the sending out of the letters will be called before the Committee on Expenditures, and we will get the information then. I think I speak for every member of the Committee on Expenditures, in the expression of my views, and I am also quite sure that there is not a Member of the House who does not agree with me, that no one will condone this offense, a direct violation of the franking privilege. It should be stopped and will be stopped.

The one responsible should be punished for it.

Mr. CHURCH. Mr. Chairman, will the gentleman yield?

Mr. COCHRAN. Yes.

Mr. CHURCH. I regard the gentleman who has just spoken as one of the most able and valuable Members of the House, and I am glad that he has made the statement that he has. This is not a partisan matter in any way, and I am glad to stand aside and give the gentleman the opportunity to develop this situation. I am sorry that I did not know he had taken the matter up. I am glad, however,

to have learned that both sides of this House are interested in cleaning up this thing which should be cleaned up.

Mr. COCHRAN. I asked the gentleman from Illinois to yield to me during the course of his speech, but he would not yield. I, therefore, requested this time to make the statement I have made.

Mr. CHURCH. When I finished I asked if there were any other questions.

Mr. COCHRAN. Under permission to revise my remarks let me state for the RECORD when I returned to my office I found a message from Mr. Fahey, chairman of the Home Owners' Loan Corporation. It had been there for some time and I immediately called him. He told me that Mr. Russell, who had sent out the letters, was resigning immediately. Mr. Fahey stated he deeply regretted the sending out of the letters and could not understand why they had been mailed, other than out of friendship and in appreciation of the loyalty of the men who had left the service.

Mr. TERRY. Mr. Chairman, I yield 5 minutes to the gentleman from Michigan [Mr. RABAUT].

Mr. RABAUT. Mr. Chairman, in answer to my colleague from Michigan [Mr. ENGEL], who spoke a few moments ago regarding the proposed building activities at Manila, I wish to say that this House did not originate the idea of building the palace in Manila. That was put in the deficiency bill of 1935 in the Senate; but for the purpose of clearing the atmosphere on what went on here this afternoon I want to call attention to the hearings on the War Department civil functions appropriation bill that is now pending before the House. I read the following from page 52:

Mr. ENGEL. Will you kindly tell us just what it is proposed to do or is being done in the way of providing a residence for the High Commissioner in the Philippine Islands?

Mr. McNUTT. Plans and specifications have been drawn and bids have been asked for for the quarters and offices in Manila.

Mr. ENGEL. That is for the High Commissioner's residence?

This is not simply for the palace; it is going to be for offices, too.

Mr. McNUTT. That, of course, is a combination residence and office.

Mr. ENGEL. All in one building?

Mr. McNUTT. That is right. If the contract is made in the latter part of next month, it is estimated that it will be not less than 18 months before the house is ready for occupancy.

Mr. ENGEL. At a total cost of how much?

Mr. McNUTT. For the construction both at Manila and Baguio the amount is \$750,000.

Mr. ENGEL. How much for each?

Mr. McNUTT. The division, as I remember it, is \$522,000 for Manila and \$151,900 for Baguio, and there is a reserve of the amount of the balance.

Mr. ENGEL. One house is for the summer residence and the other one for the winter residence?

Mr. McNUTT. We begin the hot season about now, and it gets hotter and hotter until the end of June. The first time I stopped at Manila was the 26th of April, and it felt as if you were going through hot soup. Everybody goes to Baguio at that time.

Mr. ENGEL. It is cooler there?

Mr. McNUTT. It is cooler, and that is one of the most delightful spots in the world. It is the marvel of the Tropics. You have to have a fire every night, and you sleep under blankets. You cannot believe you are in the Tropics.

Mr. ENGEL. What proportion of this total amount is devoted to the office and what percentage to the residence, at each place, approximately?

This is where you get the facts and discount some of the ravings.

Mr. McNUTT. I would say it is about 60 percent for the office and 40 percent for the residence in Manila, and about 75 percent for the residence and 25 percent for the office in Baguio.

Mr. ENGEL. It is all one building?

Mr. McNUTT. Yes; it is all one building in both places.

Mr. ENGEL. Not a group of buildings?

Mr. McNUTT. No; it is one building in each place.

We can never move the passport office from Manila, but when we go to Baguio we take a part of the staff up there to work. But a part of the staff always remains in Manila.

Mr. ENGEL. Baguio is up in the mountains?

Mr. McNUTT. Yes; approximately 160 miles from Manila.

Mr. ENGEL. Where you get away from the heat?

Mr. McNUTT. Yes. The Army makes an allowance of a month to every officer on duty out there so that they can go to Baguio, to Camp Hay during that time.

It is one thing that makes it possible for people who have grown up in this country to live out there.

Mr. ENGEL. Mr. Chairman, will the gentleman yield right there?

Mr. RABAUT. Just a moment. I will not yield now. We talk about this made land out in Manila Bay. This created land is a 17-acre tract that has been created in the bay. According to the statement, it cost \$75,000 for 17 acres; the acre cost \$4,000. Incidentally, it is the most choice piece of property perhaps in Manila. I saw the property. I would say that it is a good investment. It is next door to the Army and Navy Club. To believe that ground in that vicinity could be acquired at \$4,000 an acre would stretch the imagination even of the gentleman from Michigan to imagine where similar land could be bought in a metropolitan area for \$4,000 an acre.

Mr. ENGEL. Mr. Chairman, will the gentleman yield?

Mr. RABAUT. I shall be happy to yield to the gentleman from Michigan.

Mr. ENGEL. Could the gentleman justify paying \$4,000 an acre for ground when the Government already owned ground to put the palace on, according to McNutt's testimony?

Mr. RABAUT. The Malacañan Palace was next door to a brewery. I do not suppose the gentleman knows that.

Mr. ENGEL. Does the gentleman think the expense of creating this site justified when other equally desirable sites were available on land the Government owned?

Mr. RABAUT. If the gentleman will search the record he will find that this site was approved by both the Army and the Navy engineers.

Mr. ENGEL. On recommendation of Governor Murphy.

Mr. RABAUT. I suppose Governor Murphy, acting as High Commissioner of the islands, had the right to approve something the Army or Navy did.

Mr. ENGEL. Yes; but taking it out of the public's purse.

Mr. RABAUT. That is an unfair statement.

Mr. KITCHENS. Mr. Chairman, will the gentleman yield?

Mr. ENGEL. I yield.

Mr. KITCHENS. The great River Pasig runs through the city of Manila and empties into Manila Bay. The old city of Manila had a high wall around it and water moats around it filled with cholera germs and disease germs of every kind. The Americans went in there, cleaned that up, filled those moats, and made land out of it.

Mr. RABAUT. They play golf there today.

Mr. KITCHENS. It is the finest place for a Government building that there is in the Philippine Islands.

Mr. RABAUT. The wall is still there.

Mr. KITCHENS. Part of the wall.

Mr. RABAUT. Part of the wall is still there.

Mr. ENGEL. Does the gentleman think we ought to spend \$750,000 in this day and age with the condition of the times to build two palaces out there for the High Commissioner of the Philippines to live in?

Mr. RABAUT. I ask the gentleman to state where he gets the \$750,000 for a palace. There is nothing to that but a red herring.

Mr. ENGEL. The site was approved by and the project undertaken upon the recommendation of Mr. Murphy.

Mr. RABAUT. That is nothing but drawing a red herring across the trail.

Mr. ENGEL. Drawing a red herring across the trail at a cost to the people of the country of three-quarters of a million dollars.

Mr. TERRY. Mr. Chairman, I yield the gentleman from Michigan [Mr. RABAUT] 3 additional minutes.

Mr. RABAUT. Mr. Chairman, may I say to my friend from Michigan that I do not blame those on the minority side. In fact, it is their particular function to find fault with those on the majority side of the House. However, I hardly think it is the proper thing to come here and dig up something that happened over in the Senate and then heap all of that upon the head of some man who was Commissioner at that time, whose particular function it was to O. K. certain things that were presented to him in his official capacity.

I do not think it is quite fair to bring it up here today after that individual has left office. He has left Manila and is now Governor of Michigan, the State from which the gentleman comes.

Mr. ENGEL. Gone but not forgotten.

Mr. RABAUT. Mr. Chairman, he is going to come up this year for election, so it is now time to get out the brickbats and what-have-you, throw them around so that they may resound from the Halls of the national body here, permeate throughout the Nation and have their echo in Michigan to find comfort with a few who happen to hold the same views as does the gentleman from Michigan.

Mr. ENGEL. Will the gentleman yield?

Mr. RABAUT. I yield to the gentleman from Michigan.

Mr. ENGEL. Does the gentleman think that I, being a Member of Congress, should remain silent about those wonderful palaces they are building, which palaces contain among other things a dance hall 40 by 65 and all these rooms, and say nothing about it because I am a Republican and Governor Murphy is a Democrat?

Mr. RABAUT. I heard some gentlemen on that side quiz the gentleman and enter into the argument for the sole purpose of egging on the situation. I also saw those same gentlemen gracefully glide across those very floors in the Malacañan Palace to the tune of three or four orchestras.

Mr. ENGEL. The gentleman did not see me do that.

Mr. RABAUT. And they are just as subject to this glow of the tuned life as anybody who sits on the Democratic side.

Mr. ENGEL. Will the gentleman yield?

Mr. RABAUT. Surely.

Mr. ENGEL. The gentleman glided across the floors but I did not.

Mr. RABAUT. The gentleman from Michigan was not there.

Mr. ENGEL. Indeed, I was not there.

Mr. RABAUT. But I was there.

Mr. ENGEL. Why did the gentleman not tell us, then, about these palaces?

Mr. RABAUT. I never saw those palaces. I told the gentleman about the old palace. I told him also that it never belonged to the United States.

Mr. ENGEL. I am interested in the new palaces. Why did the gentleman not tell us? He was there and saw this going on. Why was he so silent? Why did he not tell us about this 86-room palace?

Mr. RABAUT. The gentleman is entirely wrong. These two palaces are only a piece of paper. They do not even exist.

Mr. ENGEL. I have the plans right here.

Mr. RABAUT. The gentleman knows about the 40 sit-downs, and all that, and he is getting quite nervous.

Mr. ENGEL. I have the plans.

Mr. RABAUT. At any rate, the gentleman is a good fellow.

[Here the gavel fell.]

Mr. TERRY. Mr. Chairman, I yield the gentleman from Michigan [Mr. RABAUT] 5 additional minutes.

Mr. ENGEL. We will call it the McNutt-Murphy palace.

Mr. RABAUT. Mr. Chairman, a great deal has been said here, some serious and some otherwise, concerning the proposed palaces or the proposed new residences to be erected in the Philippine Islands. The gentleman from Michigan knows just as well as I do or any other Member of this body that all over the world there are embassies of the different governments, many of them being here in Washington, of the sister governments on the various continents of the world. It is only natural, we having been the guardian of the Philippines, for this country to have established herself, as it were, in a remembering mode or fashion in the establishment of a residence for the High Commissioner and later for the Embassy at Manila. When we hear of the necessity, resulting from the temperature of the place, for the erection of a palace at Baguio, it is readily to be recognized by anyone. As I read from the hearings, the members of the Army go to Baguio for a month each year under official orders. It seems that relief is necessary from the heat which exists over there.

Mr. Chairman, it is very easy to find fault. Someone has rightfully said that anyone can be a wrecker, but it takes a great deal to be a constructionist. I dislike very much to stand up here in the House and enter into an argument, especially with a Member from my own State; but after all is said and done, the highest office in a State is the office of Governor. When the Governor of a State, an honest and respected individual, is being blamed for something which, to my way of thinking, was simply an official act on his part, and when it is sought to make it a personal blame, laying it on in a special manner, then I regard it my duty to rise in defense of his position. For this purpose and this reason alone I entered into the argument this afternoon on the floor concerning the activities with reference to the building of these edifices at Manila. [Applause.]

Mr. ENGEL. Mr. Chairman, I yield myself 2 minutes.

Mr. Chairman, I am very frank to say that I have not had the opportunity that the gentleman from Michigan, who just spoke, has had of visiting the Philippine Islands at the expense of somebody—I do not know whom—and gliding over the floors under a tropical moon, dancing the light fantastic with fair, dusky señoritas.

Mr. Chairman, I did not have the opportunity of seeing that wonderful 17 acres with 38 feet of water, that 17 acres of land with a sea wall which cost us \$75,000. I did not know anything about this palace. If I had known about it at the time the gentleman from Michigan did I certainly should have been on the floor to make a protest.

The gentleman speaks about being a constructionist. I agree with the gentleman that the Democratic Party, Mr. Murphy, the War Department, and the State Department are constructionists to the extent of spending \$500,000 for this 86-room palace in Manila and \$250,000 worth of palace up in the hills at Baguio. I do not object to erecting a fine building and I do not object to the High Commissioner's going up into the hills where it is cool, but I do object in this day and age when the conditions are as they are to spending that amount of money for a palace which is 33 feet longer and 49 feet wider than the White House. I say it is an outrage, and I do not care whether it is a Democrat or a Republican who is responsible.

The gentleman says I am blaming Mr. Murphy. Mr. McNutt testified his predecessor was responsible. Mr. Burnett, of the War Department, whose statement I read into the RECORD, stated it was upon the recommendation of Mr. Murphy that this site was chosen. So it is members of the Democratic Party who are making that statement, and I am quoting them. If it is a crime to quote them, then I am guilty of a crime.

Mr. Chairman, I believe the time has come when we must eliminate every bit of waste from the Government. I think this is the most extravagant, sinful, and outrageous piece of waste of the people's money that has taken place in the history of this country. It may be only \$750,000 or \$1,000,000. It may be what a Member on the other side of the aisle called "only chicken feed," but it is hard cash and comes out of the taxpayers' pockets. You can talk all you want to and draw your red herring across the path and talk politics, but the fact remains, Mr. Chairman, that the palace is being built by the Democratic Party, that Murphy recommended it, that it is larger than the White House, and you have another one up in the hills at Baguio which is costing somewhere near a million dollars.

[Here the gavel fell.]

Mr. TERRY. Mr. Chairman, I yield 5 minutes to the gentleman from Arkansas [Mr. KITCHENS].

Mr. KITCHENS. Mr. Chairman, I have read the bill now before the Committee, and find nothing in it about an appropriation of \$750,000 or even \$50 for the building of any palaces in the Philippine Islands or anywhere else.

Mr. ENGEL. Mr. Chairman, will the gentleman yield?

Mr. KITCHENS. I yield to the gentleman from Michigan.

Mr. ENGEL. Mr. McNutt testified it would cost \$750,000.

Mr. KITCHENS. Mr. McNutt has not testified about the bill now before the Committee, as far as I know. I am speaking about an appropriation in this bill for buildings in the Philippine Islands. There is no such thing in this bill.

I understand that 2 or 3 years ago the Senate put that provision in a bill, it was passed, and it has almost been forgotten. Of course, if we want to go back into other years we can talk of the \$44,000,000 Commerce Building in the city of Washington built at the instance of Mr. Hoover.

As far as the location of any building of the Government of the United States is concerned, since the city of Manila was built on low ground, since there was and is a great river coming down out of the mountains and running right through the city of Manila into Manila Bay, since this ground was low and there were old moats around the walls, and since this was a city of disease, full of the germs of cholera, bubonic plague, and other diseases, with the rubbish of the ages, the United States Government, its Army, and the Filipinos cleaned up this site, filled up all the moats, tore down part of the old wall, and filled in part of Manila Bay, thus giving the city of Manila more and higher ground. While I do not know anything about the value of the buildings or what would be necessary to construct proper and adequate buildings for the United States High Commissioner in the Philippine Islands, I submit I do know there is no more beautiful and no better site on which to place a building for an American official than the place that has been indicated here this afternoon. However, I understand that has nothing to do with the bill before us. I understand they are already putting up the building and that these 17 acres were filled in years ago. I was there 29 years ago when they were filling up a part of the Bay of Manila. They filled more than 100 acres.

Mr. ENGEL. Mr. Chairman, will the gentleman yield for a correction?

Mr. KITCHENS. Yes; I yield.

Mr. ENGEL. The work on the 17 acres they are filling in for the palace is just being completed now. The appropriation was made only 2 years ago.

Mr. KITCHENS. Very well; I think it would be a great thing if they would fill in a great deal more of the bay for the city of Manila if they would do as good a job as we did when I was there 29 years ago, because they have made a most beautiful city of Manila. The Americans did it, and they established a precedent there for the Filipinos which they will appreciate as long as there is a Commonwealth in the Philippine Islands. As I have said, I do not know anything about the cost of the building, but I understand from the gentleman from Michigan they were just going to build a palace there for the Commissioner to live in, but it results from the statement of the other gentleman from Michigan that the building will include all the offices; in fact, 60 percent of the building will be for Government offices, and was provided for over 2 years ago.

Mr. ENGEL. Mr. Chairman, will the gentleman yield?

Mr. KITCHENS. I yield.

Mr. ENGEL. The rooms I gave excluded the space used for offices.

Mr. KITCHENS. Well, the impression I had from the gentleman's statement was that he was referring only to the Commissioner's residence.

Mr. ENGEL. The rooms I refer to are the living quarters and the rooms used by the Commissioner, and I excluded the office space.

[Here the gavel fell.]

Mr. TERRY. Mr. Chairman, I yield 5 minutes to the gentleman from Michigan [Mr. Hook].

Mr. HOOK. Mr. Chairman, I was rather surprised at some of the statements made here this afternoon. In my opinion, some cheap politics is being played. You know in the State of Michigan we have a Governor who is absolutely honest, and there has never been anybody able to challenge the honesty of that man. He has given us an administration in Michigan that has been relieved of dishonesty. I do not know what these castles in the air amount to. I do know that there

are many blueprints that never do come into existence, and I do know that when a party cannot attack the integrity of the opposing party's leader they must be able to go out somewhere and pick some castles out of the air.

The Republican Party in Michigan has no issue. They cannot condemn Governor Murphy's administration because he has given us not only an efficient administration but he has given us an economical administration. Together with being a great humanitarian, not only in the State of Michigan—

Mr. SHAFER of Michigan. Mr. Chairman, will the gentleman yield?

Mr. HOOK. Not right now.

His record from the time he sat on the bench in the State of Michigan has been a record of greater things each day of his life. He was chosen from the State of Michigan and sent to the Philippine Islands, and his record as a humanitarian resounded throughout the world, and he was acclaimed by the residents of the Philippine Islands, and he was acclaimed by the people of the United States as one of the greatest officials that ever ruled over those islands. So much so that when he was receiving a salary of \$18,000 he resigned that post to come back to the State of Michigan and be elected Governor of that State at the meager salary of \$5,000, and he did this because of the fact that Michigan needed a real Democrat and needed democracy to clean up some of the things that were a stench in the nostrils of the public when we look back on some of the Republican administrations, and I do not believe the gentleman who is picking the castles out of the air and would try to have some sort of issue against Governor Murphy would even defend the Republican administration that preceded Murphy's. They will not defend it themselves, and this is all the more reason that we were happy to know that Governor Murphy stands as a man of high repute in the State of Michigan, not only by Democrats but by Republicans as well, and the honest and leading Republicans of the State of Michigan do respect Governor Murphy for his honesty, his integrity, and his ability as a man. We are proud of him. [Applause.]

[Here the gavel fell.]

Mr. TERRY. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. DOXEY, Chairman of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H. R. 10291) making appropriations for the fiscal year ending June 30, 1939, for civil functions administered by the War Department, and for other purposes, had come to no resolution thereon.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. FADDIS, for 4 days, on account of important business.

RIVER AND HARBOR BILL

Mr. MANSFIELD, by direction of the Committee on Rivers and Harbors, reported the bill H. R. 10298 (Rept. No. 2162) authorizing the construction and repair and preservation of certain public works on rivers and harbors, and for other purposes, which was read a first and second time and, with the accompanying report, referred to the Union Calendar and ordered printed.

NAVY DEPARTMENT APPROPRIATION BILL, 1939—CONFERENCE REPORT AND STATEMENT

Mr. UMSTEAD. Mr. Speaker, I submit a conference report and statement upon the bill (H. R. 8993) making appropriations for the Navy Department and for the naval service for the fiscal year ending June 30, 1939, and for other purposes, for printing under the rule.

EXTENSION OF REMARKS

Mr. LUDLOW. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by printing a letter from a constituent, Mr. Booth Tarkington, on legislative topics.

The SPEAKER. Is there objection?

There was no objection.

Mr. CHURCH. Mr. Speaker, in connection with the extension of my remarks this afternoon I ask unanimous consent to include four short letters referred to in those remarks.

The SPEAKER. Is there objection?

There was no objection.

Mr. COCHRAN. Mr. Speaker, I ask unanimous consent to extend the remarks that I made on the agricultural bill and to include therein brief excerpts from the report of the Works Progress Administration.

The SPEAKER. Is there objection?

There was no objection.

SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and under the rule referred as follows:

S. 3684. An act to provide for the holding of terms of the District Courts of the United States for West Virginia at Fairmont and Beckley; to the Committee on the Judiciary.

SENATE ENROLLED BILLS SIGNED

The Speaker announced his signature to enrolled bills of the Senate of the following titles:

S. 1279. An act to authorize the sale, under the provisions of the act of March 12, 1926 (44 Stat. 203), of surplus War Department real property;

S. 2531. An act to authorize the transfer of certain military reservations to other agencies of the Government and to the people of Puerto Rico, and for other purposes;

S. 3160. An act to provide for the exchange of land in the Territory of Alaska;

S. 3272. An act to clarify the status of pay and allowances under the provisions of the act of September 3, 1919; and

S. 3530. An act to amend the National Defense Act of June 3, 1916, as amended, by reestablishing the Regular Army Reserve, and for other purposes.

ADJOURNMENT

Mr. TERRY. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 15 minutes p. m.), the House adjourned until tomorrow, Wednesday, April 20, 1938, at 12 o'clock noon.

COMMITTEE HEARINGS

COMMITTEE ON THE JUDICIARY

There will be a hearing before subcommittee No. 1 of the Committee on the Judiciary at 10:30 a. m. Wednesday, April 20, 1938, in room 346, House Office Building, for the consideration of H. R. 9745, to provide for guaranties of collective bargaining in contracts entered into and in the grant or loans of funds by the United States, or any agency thereof, and for other purposes.

COMMITTEE ON IMMIGRATION AND NATURALIZATION

There will be a meeting of the Committee on Immigration and Naturalization in room 445, House Office Building, Thursday, April 21, 1938, at 10:30 a. m., for the consideration of unfinished business, private bills.

COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

There will be a meeting of Mr. Eicher's subcommittee of the Committee on Interstate and Foreign Commerce, at 10 a. m., Monday, April 25, 1938. Business to be considered: Hearing on H. R. 10292, trust indentures.

COMMITTEE ON THE LIBRARY

The Committee on the Library will hold hearings at 10:30 a. m., on Thursday, April 21, 1938, in room 1536, New House Office Building, on the following bills: H. R. 10217, House Joint Resolution 656, House Joint Resolution 631, House Joint Resolution 620, and House Joint Resolution 647.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1242. A letter from the Comptroller of the Currency, transmitting a copy of the Annual Report of the Comptroller

of the Currency for the year ended October 31, 1937; to the Committee on Banking and Currency.

1243. A letter from the president, Board of Commissioners, District of Columbia, transmitting a proposed bill to provide for appointment of research assistants in the public schools of the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

1244. A letter from the president, Board of Commissioners, District of Columbia, transmitting a proposed bill entitled "A bill to provide for an additional judge for the police court of the District of Columbia, and for other purposes"; to the Committee on the District of Columbia.

1245. A letter from the Acting Secretary, Department of the Interior, transmitting the copy of a bill to amend the Alaska Railroad Retirement Act, approved June 29, 1936 (49 Stat. 2017); to the Committee on the Civil Service.

1246. A letter from the Acting Secretary, Department of the Treasury, transmitting the draft of a proposed bill to authorize the transfer to the jurisdiction of the Secretary of the Treasury of portions of the property within the military reservation known as the Morehead City Target Range, N. C., for the construction of improvements thereon, and for other purposes; to the Committee on Military Affairs.

1247. A letter from The National Archives, transmitting a list of papers consisting of 1,260 items among the archives and records of the Department of the Treasury which the Department has recommended should be destroyed or otherwise disposed of; to the Committee on the Disposition of Executive Papers.

1248. A letter from The National Archives, transmitting a list of papers consisting of 50 items among the archives and records of the Works Progress Administration which the Administration has recommended should be destroyed or otherwise disposed of; to the Committee on the Disposition of Executive Papers.

1249. A letter from The National Archives, transmitting a list of papers consisting of 292 items among the archives and records of the Department of the Interior which the Department has recommended should be destroyed or otherwise disposed of; to the Committee on the Disposition of Executive Papers.

1250. A letter from The National Archives, transmitting a list of papers consisting of 105 items among the archives of the Post Office Department which the Department has recommended should be destroyed or otherwise disposed of; to the Committee on the Disposition of Executive Papers.

1251. A communication from the President of the United States, transmitting three supplemental estimates of appropriation for the fiscal year ending June 30, 1939, for the Department of the Interior, amounting to \$8,750,000 (H. Doc. No. 602); to the Committee on Appropriations and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII,

Mr. ROGERS of Oklahoma: Committee on Indian Affairs. H. R. 7271. A bill authorizing the District Court of the United States for the Eastern District of Oklahoma to hear and determine certain claims of the Seminole Nation or Tribe of Indians; with amendment (Rept. No. 2155). Referred to the Committee of the Whole House on the state of the Union.

Mr. HEALEY: Committee on the Judiciary. H. R. 6656. A bill making the 11th day of November in each year a legal holiday; without amendment (Rept. No. 2156). Referred to the House Calendar.

Mr. PHILLIPS: Committee on Naval Affairs. H. R. 9611. A bill to permit sales of surplus scrap materials of the Navy to certain institutions of learning; without amendment (Rept. No. 2157). Referred to the Committee of the Whole House on the state of the Union.

Mr. PHILLIPS: Committee on Naval Affairs. H. R. 9801. A bill to provide for the retirement, rank, and pay of Chiefs

of Naval Operations, Chiefs of Bureau of the Navy Department, the Judge Advocates General of the Navy, and the Major Generals Commandant of the Marine Corps; without amendment (Rept. No. 2158). Referred to the Committee of the Whole House on the state of the Union.

Mr. MAY: Committee on Military Affairs. S. 3459. An act to authorize the Secretary of War to acquire by donation land at or near Fort Missoula, Mont., for target range, military, or other public purposes; without amendment (Rept. No. 2159). Referred to the Committee of the Whole House on the state of the Union.

Mr. ANDREWS: Committee on Military Affairs. H. R. 9123. A bill to authorize the Secretary of War to lease to the village of Youngstown, N. Y., a portion of the Fort Niagara Military Reservation, N. Y.; with amendment (Rept. No. 2160). Referred to the Committee of the Whole House on the state of the Union.

Mr. WALTER: Committee on the Judiciary. H. R. 8148. A bill to amend Public Law No. 692, Seventy-fourth Congress, second session; with amendment (Rept. No. 2161). Referred to the House Calendar.

Mr. MANSFIELD: Committee on Rivers and Harbors. H. R. 10298. A bill authorizing the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes; with amendment (Rept. No. 2162). Referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BOYKIN: A bill (H. R. 10306) to confer jurisdiction on the Court of Claims to hear, determine, and enter judgment upon the claims of Government contractors whose costs of performance were increased as a result of the National Industrial Recovery Act, June 16, 1933; to the Committee on the Judiciary.

By Mr. DOCKWEILER: A bill (H. R. 10307) to amend paragraph (k) of section 303 and paragraph (b) of section 319 of the Communications Act of 1934; to the Committee on Interstate and Foreign Commerce.

By Mr. RANKIN: A bill (H. R. 10308) for the erection of a public building at Macon, Noxubee County, Miss.; to the Committee on Public Buildings and Grounds.

By Mr. DISNEY: A bill (H. R. 10309) to amend an act entitled "An act to authorize the Secretary of War to grant easements in and upon public military reservations and other lands under his control," approved May 17, 1926; to the Committee on Military Affairs.

By Mr. BUCK: A bill (H. R. 10310) to amend sections 210 (b) and 811 (b) of the Social Security Act; to the Committee on Ways and Means.

By Mr. BACON: A bill (H. R. 10311) to provide relief, work relief, and increase employment by grants to the States, Territories, and the District of Columbia, and for other purposes; to the Committee on Appropriations.

By Mr. PALMISANO (by request): A bill (H. R. 10312) to amend section 3 of the act entitled "An act to protect the lives and health and morals of women and minor workers in the District of Columbia, and to establish a Minimum Wage Board, and to define its powers and duties, and to provide for the fixing of minimum wages for such workers, and for other purposes," approved September 19, 1918 (65th Cong., 40 Stat. 960); to the Committee on the District of Columbia.

By Mr. BURDICK: A bill (H. R. 10313) authorizing payment to the Devils Lake Band of Sioux Indians, of the Devils Lake (N. Dak.) Indian Reservation, at the Fort Totten (N. Dak.) Indian Agency, for damages for wood and timber used and destroyed by the armies of the United States while maintaining a military post at Fort Totten, N. Dak., between the years 1867 and 1890, and for which damages the said Indians have not been heretofore compensated; to the Committee on Indian Affairs.

Also, a bill (H. R. 10314) authorizing payment to the Devils Lake Band of Sioux Indians of the Devils Lake (N. Dak.) Indian Reservation, at the Fort Totten (N. Dak.) Indian Agency, for 64,000 acres of land of which said band of Indians was deprived by the erroneous survey made by the United States Government under the treaty of February 19, 1887, between the Sisseton and Wahpeton Bands of Sioux Indians and the United States (15 Stat. L. 505), ratified April 15, 1867; to the Committee on Indian Affairs.

By Mr. BLAND: A bill (H. R. 10315) to amend the Merchant Marine Act, 1936, to further promote the merchant marine policy therein declared, and for other purposes; to the Committee on Merchant Marine and Fisheries.

Also, a bill (H. R. 10316) to amend section 203 of the Merchant Marine Act, 1936, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. MAY (by request): A bill (H. R. 10317) to remove certain inequitable requirements for eligibility for detail as a member of the General Staff Corps; to the Committee on Military Affairs.

By Mr. SHAFER of Michigan: Resolution (H. Res. 466) requesting certain data on imports from the Department of Agriculture, the Department of Labor, the Department of the Interior, and the War Department; to the Committee on Expenditures in the Executive Departments.

By Mr. BREWSTER: Joint resolution (H. J. Res. 658) for the designation of a street or avenue to be known as "Maine Avenue"; to the Committee on the District of Columbia.

MEMORIALS

Under clause 3 of rule XXII, memorials were presented and referred as follows:

By the SPEAKER: Memorial of the Legislature of the State of California, memorializing the President and the Congress of the United States to enact House bill 9256, relative to reimbursement by the Federal Government to States and counties for expenditures in behalf of nonresidents; to the Committee on Ways and Means.

Also, memorial of the Legislature of the State of California, memorializing the President and the Congress of the United States to consider their Senate Joint Resolution No. 7, relative to necessary aids to night air navigation; to the Committee on Interstate and Foreign Commerce.

Also, memorial of the Legislature of the State of California, memorializing the President and the Congress of the United States to consider their joint resolution No. 6, relative to Federal tax on oil; to the Committee on Ways and Means.

Also, memorial of the Legislature of the State of California, memorializing the President and the Congress of the United States to consider their joint resolution No. 5, with reference to flood relief; to the Committee on Flood Control.

Also, memorial of the Legislature of the State of California, memorializing the President and the Congress of the United States to consider their joint resolution No. 15, relative to aliens in America; to the Committee on Immigration and Naturalization.

Also, memorial of the Legislature of the State of Massachusetts, memorializing the President and the Congress of the United States to consider their resolution dated April 11, 1938, with reference to reciprocal-trade agreements; to the Committee on Ways and Means.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BERNARD: A bill (H. R. 10318) for the relief of Itasca County Abstract Co.; to the Committee on Claims.

By Mr. CARLSON: A bill (H. R. 10319) for the relief of Thomas J. Smith; to the Committee on Claims.

By Mr. CLARK of Idaho: A bill (H. R. 10320) directing the Secretary of the Interior to issue to Lester E. Joslin a

patent to certain lands in the State of Idaho; to the Committee on Patents.

By Mr. HARTLEY: A bill (H. R. 10321) for the relief of Capt. Malcolm K. Beyer; to the Committee on Naval Affairs.

By Mr. HAVENNER: A bill (H. R. 10322) for the relief of James William Cole; to the Committee on Military Affairs.

By Mr. McCORMACK: A bill (H. R. 10323) for the relief of the Lamson Co., Inc.; to the Committee on Claims.

By Mr. McLAUGHLIN: A bill (H. R. 10324) for the relief of Paul T. Sims; to the Committee on Military Affairs.

By Mr. MAGNUSON: A bill (H. R. 10325) for the relief of the estate of Alfred Batrack; to the Committee on Claims.

By Mr. RANDOLPH: A bill (H. R. 10326) to authorize and direct the Commissioners of the District of Columbia to set aside the trial-board conviction of Policeman David R. Thompson and Ralph S. Warner and their resultant dismissal and to reinstate David R. Thompson and Ralph S. Warner to their former positions as members of the Metropolitan Police Department; to the Committee on the District of Columbia.

By Mr. REED of New York: A bill (H. R. 10327) for the relief of A. S. Tait; to the Committee on Claims.

By Mr. SMITH of Oklahoma: A bill (H. R. 10328) for the relief of S. A. Rourke; to the Committee on Claims.

By Mr. TAYLOR of Tennessee: A bill (H. R. 10329) for the relief of the New Amsterdam Casualty Co.; to the Committee on Claims.

By Mr. VINSON of Georgia: A bill (H. R. 10330) to provide for the reimbursement of certain enlisted men of the Navy for the value of personal effects lost in a fire at the Naval Air Station, Hampton Roads, Va., May 15, 1936; to the Committee on Naval Affairs.

By Mr. ZIMMERMAN: A bill (H. R. 10331) for the relief of Otho L. Curtner; to the Committee on Claims.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

4851. By Mr. BEITER: Petition of the Central Labor Council of Buffalo and vicinity, Buffalo, N. Y., urging appropriation of \$5,000,000,000 for Public Works Administration and Works Progress Administration, and advocating liberalization of Works Progress Administration rules governing eligibility of applicants for employment; to the Committee on Appropriations.

4852. Also, petition of the American Legion, New York County organization, urging establishment of post exchanges in Army encampments, bases, forts, and reservations so that enlisted men and officers may benefit, and advocating retention of all post exchanges without restriction; to the Committee on Military Affairs.

4853. By Mr. BIERMANN: Petition of Mrs. A. M. Avery and others, of Mason City, Iowa, asking for legislation stopping the advertising of alcoholic beverages by press and radio; to the Committee on Interstate and Foreign Commerce.

4854. By Mr. BOYLAN of New York: Resolution adopted by the American Legion, New York, N. Y., favoring the retention of all post exchanges in Army encampments throughout the United States without restriction; to the Committee on Military Affairs.

4855. Also, resolution unanimously adopted by the executive committee of the New York Typographical Union, No. 6, representing more than 10,000 workers employed in the printing industry in Greater New York, calling for an investigation by Congress into the condition of the newspaper print stock used by publishers throughout the United States; to the Committee on Interstate and Foreign Commerce.

4856. Also, resolution adopted by the members of the New York Board of Trade, New York, N. Y., opposing House bill 3134, placing a tax on fuel oil; to the Committee on Ways and Means.

4857. By Mr. COFFEE of Washington: Resolution of the Labor's Non-Partisan League of Wayne County, Mich., Alan

Strachan, secretary-treasurer, setting forth that the culture of our native land should march hand in hand with our economic program, and that the enlightening influence of the arts on our national character is a vital part of our democratic heritage and that encouragement of the arts has been sadly lacking in the United States heretofore, and therefore heartily endorsing the pending Coffee bill (H. R. 9102) for the establishment of a permanent Bureau of Fine Arts; to the Committee on Education.

4858. By Mr. CONNERY: Resolution of the Massachusetts State branch, American Federation of Teachers, recording uncompromising opposition to the so-called industrial mobilization bill; to the Committee on Military Affairs.

4859. Also, resolution of the Massachusetts State branch, American Federation of Teachers, recording its hearty support of the National Labor Relations Act; to the Committee on Labor.

4860. By Mr. CULLEN: Petition of the American Legion, New York County organization, urging the retention of all post exchanges without restriction; to the Committee on Military Affairs.

4861. By Mr. FLAHERTY: Petition of the United Office and Professional Workers of America, protesting against the passage of the May bill; to the Committee on Military Affairs.

4862. Also, petition of the United Office and Professional Workers of America, expressing its approval of the provisions of Senate bill 3390; to the Committee on Labor.

4863. By Mr. HAVENNER: Petition of the Senate of the State of California, memorializing the President and Congress of the United States concerning Senate Joint Resolution No. 7, relative to providing all necessary aids to night air navigation; to the Committee on Interstate and Foreign Commerce.

4864. Also, petition of the Assembly of the State of California, memorializing the President and the Congress of the United States concerning Assembly Joint Resolution No. 6, relative to Federal tax on oil; to the Committee on Ways and Means.

4865. Also, petition of the Assembly of the State of California, memorializing the President and the Congress of the United States concerning Assembly Joint Resolution No. 15, relative to aliens in America; to the Committee on Immigration and Naturalization.

4866. Also, petition of the Assembly of the State of California, memorializing the President and the Congress of the United States concerning Assembly Joint Resolution No. 5, relative to making Federal funds available for flood relief; to the Committee on Flood Control.

4867. Also, petition of the board of supervisors of the city and county of San Francisco, imploring the President of the United States and the Maritime Commission to withdraw their opposition to the McAdoo-Welch resolution and make every effort to retain at least the Panama-Pacific liners in their present essential intercoastal service; to the Committee of Foreign Affairs.

4868. Also, petition of the Senate of the State of California, memorializing the President and the Congress of the United States concerning their Senate Joint Resolution No. 5, relative to reimbursement by the Federal Government to States and counties for expenditures in behalf of nonresidents; to the Committee on Ways and Means.

4869. By Mr. KENNEDY of New York: Petition of the New York Board of Trade, Inc., concerning Senate bill 3390, to extend the powers of the National Labor Relations Board; to the Committee on Labor.

4870. Also, petition of the New York Board of Trade, Inc., concerning House bill 3134, to impose a tax on fuel oil; to the Committee on Ways and Means.

4871. By Mr. KEOGH: Petition of the Central Civic Association of Hollis, Inc., Hollis, Long Island, N. Y., concerning the Barry bill (H. R. 2717); to the Committee on the Post Office and Post Roads.

4872. Also, petition of the Long Beach Municipal Band, Long Beach, Calif., concerning House bill 4947 and Senate bill 2369; to the Committee on Military Affairs.

4873. Also, petition of Peter J. Salmon, secretary and assistant director, the Industrial Home for the Blind, favoring the passage of Senate bill 2819 and companion bill introduced by Mrs. O'DAY, for the creation of a Committee on Purchases of Blind-made Products, and for other purposes; to the Committee on Expenditures in the Executive Departments.

4874. By Mr. MARTIN of Massachusetts: Memorial of the General Court of Massachusetts, protesting against the inclusion of furniture and toys in any reciprocal-trade agreements; to the Committee on Ways and Means.

4875. By Mr. PFEIFER: Petition of the Navy Yard Local Union, No. 543, Brotherhood of Painters, Decorators, and Paperhangers of America, Brooklyn, N. Y., concerning the Federal Workers Minimum Wage Act of 1938 (H. R. 9158); to the Committee on Labor.

4876. Also, petition of the Industrial Home for the Blind, Brooklyn, N. Y., urging consideration of Senate bill 2819; to the Committee on Expenditures in the Executive Departments.

4877. By Mr. PLUMLEY: Resolution of the Vermont Society of Engineers, protesting against the curtailment of the Federal-aid highway program; to the Committee on Roads.

4878. By Mr. QUINN: Resolutions of Local 610, United Electrical, Radio, and Machine Workers of America, Wilmerding, Pa., protesting against the May bill (H. R. 9604); to the Committee on Military Affairs.

4879. Also, resolutions of the Duplate Local, Federation of Flat Glass Workers, Creighton, Pa., on State and Federal work relief; to the Committee on Ways and Means.

4880. By Mr. RICH: Petition of citizens of Williamsport, Pa., protesting against the passage of the so-called anti-firearms bill; to the Committee on Interstate and Foreign Commerce.

4881. By Mr. THOMAS of New Jersey: Petition signed by 270 residents of Sussex County, N. J., protesting against the National Firearms Act; to the Committee on Ways and Means.

4882. By the SPEAKER: Petition of veterans' nonpartisan clubs of the Twelfth District, Pomona, Calif., urging a congressional investigation of the trial and conviction of Congressman John H. Hoeppel; to the Committee on Rules.

4883. Also, petition of the Valley Cottage Regular Democratic Club of Rockland County, N. Y., petitioning consideration of their resolution dated April 12, 1938, with reference to Roosevelt haters; to the Committee on Ways and Means.

4884. Also, petition of the South Carolina Federation of Commerce, Agriculture, and Industry, Columbia, S. C., petitioning consideration of their resolution with reference to national economic problems; to the Committee on Ways and Means.

SENATE

WEDNESDAY, APRIL 20, 1938

The Chaplain, Rev. Z. Barney T. Phillips, D. D., offered the following prayer:

I am the resurrection and the life, saith the Lord: he that believeth in me, though he were dead, yet shall he live: and whosoever liveth and believeth in me shall never die.

Let us pray.

O Eternal God and Heavenly Father, whose mercies cannot be numbered, in whose presence there is the fullness of joy, and at whose right hand there is pleasure for evermore: draw us closer unto Thee and to each other as we pause to pay reverent tribute to the memory of our brother beloved whom we have loved long since and lost a while, whose conspicuous devotion to his country crowned his gifts of leadership, and whose loyalty to friends was as the armor of a knight dedicated to a divine adventure.

Help us, therefore, we beseech Thee, to learn to understand wisdom secretly, for Thou requirest truth in the inward parts, and grant us the spirit of humility, without which faith becomes presumption, hope delusion, and love weakness, that